

APPENDIX No 2

A statement showing the amounts of travelling allowance received by the authorities of District and Taluka Local Boards during the last three years

Designation of authorities	1921 1922	1922 1923	1923 1924
	Rs a p	Rs a p	Rs a p
President, D L B, Poona	1,130 10 0	1,173 11 0	1,197 2 0
Vice President, D L B, Poona		147 14 0	89 8 0
President F L B, Junnar		534 10 0	300 0 0
Do Indapur			
Do Khed	142 8 0	247 11 0	254 10 0
Do Surur			
Do Purandhar	272 8 0	327 0 0	258 0 0
Do Bhimthadi	90 12 0	61 7 0	18 10 0
Do Haveli	235 6 0	199 13 6	209 1 0
Do Maval			
Vice President Junnar	122 4 0		
Chairman, W C, Junnar		178 14 0	224 6 0
Vice President Indapur	9 0 0		
Chairman W C, Indapur	2 0 0	4 9 0	12 0 0
Vice President, Khed	12 0 0		
Chairman, W C Khed	35 10 0	39 1 0	6 0 0
Vice President, Surur	6 0 0		
Do Purandhar			
Chairman, W C, Purandhar			
Vice President, Bhimthadi	139 8 0		14 0 0
Chairman W C, Bhimthadi		139 11 0	56 8 0
Vice President, Haveli		48 11 0	21 12 0
Chairman, W C, Haveli	127 4 0	329 2 0	1 9 0
Vice President, Maval			
Chairman, W C, Maval			

APPENDIX No 3

*Statement showing the number of graduates serving as Inspectors in the
Excise Department and their total length of service*

Name of Inspector		Qualifica- tions	Total length of service	
<i>Bombay Presidency provinces</i>			Y	M
1	Mr P B Hernandez Velloz	L C E	22	1
2	P V Ghatge	B A	23	6
3	L J Kamat	B A	16	8
4	S D Wigle	B A	16	8
5	" B Y Tipnis	B A	23	10
6	" N B Desai	B A	16	8
7	" K N Wadia	M A, B Sc	10	2
8	" H E Cooper	B A, LI B	16	8
9	" Shrik Abdul Kadar Shrik Rajesahab	B A	13	0
10	" P A Nanavati	B A	16	8
11	" P A Reporter	M A	10	11
12	" K K Desai	B A	8	3
13	" M S Nayalkar	M A	8	5
14	" K S L Iyengar	B Sc	8	3
15	" B C Thakor	B A	8	2
<i>Sind</i>				
16	Mr J T Kirpalani	B A	6	6
17	" Abdul Aziz Kandhari	B A	3	6
18	" T J Haisingani	B A	1	9

APPENDIX No 4

Statement showing Landing and Wharfage Fees levied on passengers at the ports from (1) Bombay to Goa (2) Bombay to Dharamtar, (3) Bombay to Ulwa, since the establishment of the Fund

Landing and Wharfage Fees

Name of the year	Bombay to Goa line	Bombay to Dharamtar line	Bombay to Ulwa line	Total	Remarks
	Rs a p	R a p	Rs a p	Rs a p	
1917 18	57 244 7 6	10,417 12 1	6 970 10 6	74 682 11 6	
1918 19	70 327 0 3	11 752 14 6	7 127 8 6	89 197 6 6	
1919 20	71,676 9 9	12,757 5 9	7,514 0 0	91,947 15 6	
1920 21	67,850 4 6	10 900 6 9	6 039 0 3	81,799 11 6	
1921 22	76 473 11 4	11,861 4 9	6 593 8 6	94 928 11 7	
1922 23	77 565 11 3	12,929 11 9	7,697 6 9	98,421 0 9	
1923 24		Not available		1,05 239 3 0	
Total	4,21,447 2 7	70,629 7 6	41,872 2 6	6,39,187 15 7	

APPENDIX No 5

List of villages in Satara Taluka from which petitions of objections were received

1	Asangaon	27	Karandi
2	Padali	28	Kashri
3	Ambavde Khurd	29	Khodad
4	Wavdare	30	Kotavdi Budruk
5	Bhondavde	31	Banghar
6	Gajivadi, tariff Parali	32	Khadgaon
7	Ashte, tariff Parali	33	Pangare
8	Ambavade Budruk	34	Sayali
9	Kiklan	35	Kodoli (Khindwadi)
10	Rohat	36	Songaon
11	Dahivadi, tariff Parali	37	Kasari
12	Sispadc	38	Kurul Baji
13	Kusbudruk	39	Kurut Tijari
14	Pirali	40	Palasvade, tariff Parali
15	Kopardi	41	Venekhot, tariff Parali
16	Rivali	42	Kaloshi
17	Mundve	43	Angapur, tariff Vandan
18	Punavdi, tariff Parali	44	Borkhal
19	Atit	45	Patkhal
20	Degaon	46	Rajapuri
21	Akale	47	Karanje, tariff Parali
22	Raighar, tariff Parali	48	Godoli
23	Kudgum, tariff Parali	49	Shahapur
24	Nigudmal	50	Dhavadshi
25	Vagdgaon, tariff Parali	51	Venegaon
26	Pateghar	52	Varne

RESOLUTION—Copies of the foregoing correspondence should be forwarded to the Officers and Departments concerned

By order of the Government of Bombay
(Transferred Departments),

E J UNVALA,

Acting Deputy Secretary to Government

G R no 1623, E D, dated the 28th May 1924

To

The Director of Public Instruction,
The Municipal Commissioner for the
City of Bombay,

The Accountant General,
The Finance Department,
The General Department

No of 1924

Copy forwarded for information and guidance to

*Accompaniment to Government Resolution, Educational Department,
no 1623, dated the 28th May 1924*

Letter from the Secretary, Schools Committee, no 5348, dated the 1th December 1922 —

Subject—Government Grant towards the Corporation's Expenditure on Primary Education in Bombay City under Government Resolution no 499 of 10th February 1919

I have the honour by direction of the Schools Committee to request you to place this letter before the Corporation

The Schools Committee begs to attach hereto a copy of Government Resolution no 1623 of 30th August 1922 on the subject mentioned above, a copy whereof was sent to this Office. Letter no 1623-F, Educational Department, of 4th October 1922 from the Secretary to Government has also been sent to the President of the Corporation embodying the conditions laid down in paragraph 3 of the Government Resolution no 1623 of 30th August 1922 referred to above, and forms item 93 of the Agenda for the Corporation's November Meeting. The Schools Committee beg to set forth below their views and remarks on the Government Resolution and letter under reference, and to request the Corporation to address Government on the lines thereof

2 It may be remarked at the outset that it is a matter for regret that Government have issued final orders in this matter merely on letters to them from the Director of Public Instruction and to him from the Educational Inspectors, and without affording the Corporation or the Schools Committee an opportunity to make any observations on their representations. As it is, there has occurred on their part a misunderstanding on some points, and on others there has been want of accurate information on points of vital importance. It may be presumed that this has adversely influenced the decision of Government as communicated

3 Government state in their letter "that it was indicated that the payment of the grant to be made to the Corporation

would be subject to the same conditions as has been laid down in the case of City Municipalities" It is also said later on that "the conditions referred to above have not been fulfilled in the presentations of claims for grants on behalf of the Municipality" It has to be pointed out that the stipulation as stated above is set forth too widely The exact words of the governing Government Order no 499 of 10th February 1919 in this behalf are "the payment of the grant

will be subject to the same conditions regarding supervision, inspection, etc, as have been laid down in the case of District Municipalities" It is respectfully submitted that these words do not justify the application in too fine and rigid a manner, to the expenditure on Bombay Municipal Schools, of those tests which are applied in the mofussil in deciding whether a particular item comes under the technical limits of educational expenditure recognizable for the purposes of Grants-in-Aid The origin of the Government contribution lay in the presentation by the Corporation of a costly scheme for gradual improvement as well as expansion of Primary Education in the City and in the recognition of its special claims on Government And in view of the fact that all the Bombay Municipal expenditure on Primary Education is entrusted to a separate statutory body, with separate accounts working under defined Law, and Bye-laws, it is submitted that too subtle limitations on the expenditure, for the purpose of determining the Government share would not be in harmony with the generosity with which Government promised their contribution

4 Government set forth three examples of "objects which cannot be regarded as connected with Primary Education" The first of these is "Anglo-Vernacular Schools" In this regard it may be stated that there are only 5 schools of the kind and they are not Anglo-Vernacular Schools but Primary Schools with Anglo-Vernacular Classes, not higher than the 3rd Standard, attached to them Four of them, namely, the Dongri, the Khetwadi, the Kamathipura and the Bhuleshwar Anglo-Vernacular Schools are inheritances come down to the Bombay Schools Committee from Government themselves They were founded in 1865 and were maintained by Government and handed over by them as Primary Schools to the Joint Schools Committee in 1890-91, and the Committee gave them over to the Corporation's Schools Committee on its constitution in 1909-10 The 5th School, the Durgadevi School is an old Aided School handed over to the Schools Committee and is maintained as it was There is no desire to extend the number of such Schools and an undertaking to that effect may be given

(ii) The second example is 'religious instruction like Koran Teaching' It may be mentioned that in the Urdu Schools this teaching is a part of the School curriculum and means naught but mere mechanical reading of the Koran It is imparted by the ordinary lay teachers without any special remuneration There are two Gujarati Schools where a large number of Moslem children with Gujarati as their mother-tongue attend and a Koran

teacher is appointed for them as an exceptional case. The amount of their salaries is too small to take account of.

5 The third example given is that of 'English teachers for Girls' Schools' and it is suggested that this is an extra subject. The fact, however, is that these English teachers are appointed to teach only that much English as is included in the syllabus of studies sanctioned by Government themselves, *vide* their Order no 958, Educational Department dated 13th June 1901. The syllabus for Standard IV is laid down thus - -

Second Head — Reading with understanding of the part read, fourth Balbodh Book and either third Modi Book or English Infant Reader for Marathi Schools, 5th Gujarati Book and English Infant Reader for Gujarati Schools and 4th Urdu Book and either 4th Gujarati Book or English Infant Reader for Urdu Schools.

It is further very important to observe that the said Government Order no 958 of 13th June 1901 specifically states —

“Nor does His Excellency the Governor in Council object to the opening of the proposed Anglo-Vernacular Classes in localities where the Committee is satisfied that there is a *bona-fide* need of them and where they would be *self supporting*.”

6 Government are gracious to offer to contribute to the expenditure on Anglo Vernacular Schools “Grant as may be otherwise admissible under the Grant-in Aid Code.” Under the Code one-third of the expenditure is payable. The difference between this and the Government share per their agreement under Order 499 of 10th February 1919 is so small and the Schools concerned are so few that it is hoped Government will not insist upon this expenditure being treated separately from the other expenditure.

7 Government later on direct that the salaries of teachers should not be changed without the previous approval of Government and further that “any other measures involving extra expenditure on Primary Education should receive the previous sanction of Government.” It has to be pointed out that these directions, couched as they are in too wide terms, seriously infringe the rights and powers vested in the Corporation and the Schools Committee under the Law and under Bye laws deliberately sanctioned by Government themselves. The conditions now set forth are entirely new and if literally interpreted, may be tantamount to taking away all initiation from the Corporation and the Schools Committee. These are not to be found in the original Government Order no 499 of 10th February 1919. The policy of Government has been till now, one of trust and confidence in the Corporation and the Schools Committee and of leaving to them as wide and unfettered a discretion as possible. It was in conformity with this policy that on the constitution of the Schools Committee in 1909-10, the old Bye-law of the Joint Schools Committee's time, making compulsory on Bombay Municipal Schools strict conformity with not only the principles and system of School management but also the rate of salaries, is laid down

by Government, was repealed and in its stead the following Bye-law deliberately omitting any reference to Teachers' salaries was made —

“In the administration of the City of Bombay Municipal Primary Schools, the principles and system of School management and the course of instruction to be followed shall generally be those adopted by Government ”

There is no other restrictive Bye-law whatsoever. It is to be hoped that Government will allow a free exercise of the powers thus bestowed—and bestowed proportionately to the heavy responsibility undertaken by the Corporation

8 In regard to the stipulation of Government that “only persons holding certificates of Qualifying Examinations recognized or specially approved of by the Government, should be employed”, it may be stated that this Rule is strictly observed in the Marathi and the Gujarati Schools. In Urdu Schools unqualified teachers had to be employed and to a certain extent have yet to be employed for want of technically qualified persons in sufficient numbers. The policy however is to choose as few persons of this type as possible.

9 In regard to the last stipulation that only “sanctioned book” should be used, it may be stated that as a matter of fact no unsanctioned book is used as a Text Book in the Schools wherever sanctioned Text Book exists. No condemned Book is used or patronised for any purpose. Discretion however is used in regard to the pure use of Prize Books or Books for the Central Library of the Municipal Schools. But great care and discrimination is used in choosing the books for this purpose. The Corporation would however have no objection to purchase for Prizes only “sanctioned books” should Government so insist.

APPENDIX

Statement giving information about

District	Number of Khoti vill- ages	Total assessment of such villages		
		1920 21	1921 22	1922 23
1	2	3	4	5
		Rs	Rs	Rs
Ratnagiri	1,024	5 76 075	5,77 037	5 75 464

Note—1 The amounts in columns 9, 10 and 11 represent the cost of recoveries in

2 There is no direct cost of recoveries in unattached villages. There is how cost of superior establishment, and the khots have special rights over which would otherwise go to Government but are conceded to the khots.

No 7

Khoti villages in the Ratnagiri District

Amounts actually realised out of the assessment			Actual cost incurred by Government in making such recoveries		
1920 21	1921 22	1922 23	1920 21	1921 22	1922 23
6	7	8	9	10	11
Rs	Rs	Rs	Rs	Rs a p	Rs a p
5 75,645	5,76,227	5,77,505	16 050 14 7	14,805 3 1	16 382 5 2

attached villages only

ever in both attached and unattached villages, indirect cost of recoveries, e.g., share of waste land (e.g. right to occupancy price and rights over lapsed or forfeited holdings) as remuneration for their work in making collections for Government

APPENDIX No 8

Statement showing the amount of fine imposed for unauthorised cultivation during the 3 years ending 1922-23 in each taluka of the Hyderabad District

Serial No	Taluka	Amount of fine imposed		
		1920-21	1921-22	1922-23
		3	4	5
		Rs a p	Rs a p	Rs a p
1	Hyderabad	2,990 2 0	4,902 13 0	4,601 11 0
2	Tando Allahyar	7,650 1 0	8,792 9 0	11,118 3 0
3	Hala	1,813 11 0	1,406 6 0	6,274 1 0
4	Gum	10,511 1 0	9,955 1 0	11,526 1 0
5	Dero Mohabat	7,965 13 0	13,566 3 0	19,360 5 0
6	Badin	14,229 14 0	10,311 10 0	162 1 0
7	Tando Bago	1,996 5 0	6,353 10 0	13,916 12 0
	Total	50,156 15 0	58,311 4 0	70,989 3 0

APPENDIX No 9

Statement showing the total amounts of fees etc. for Anti-rabies treatment in each centre in the Presidency from the 1st January 1921 to 30th June 1924

Name of Institution	Total amount received as fees since 1st January 1921, to 30th June 1924	Individual cases in which Rs. 140 was charged	Individual cases in which Rs. 140 was charged	Remarks
	Rs. p.			
Bombay Bacteriological Laboratory	11,600 0 0	9	1	Centre commenced work in April 1922
Sassoon Hospitals, Poona	1,669 0 0	2	Nil	Centre commenced work in December 1922
Civil Hospital Ahmedabad	191 14 0	2	Nil	Centre commenced working from September 1922 In one case Rs. 140 and in another case Rs. 178 were charged. Mr. Pandik (General Manager) of the Indian Bank was charged Rs. 178 at the rate of Rs. 210/20. As he had bought three anti-rabies treatments for himself and wife from Laboratory Poona.
Civil Hospital Belgaum	1501 0 0	1	Nil	Centre commenced work from 1st October 1922
Civil Hospital Ahmednagar	140 0 0	Nil	Nil	
Civil Hospital, Karwar	Nil	Nil	Nil	
Civil Hospital Karachi	623 0 0	Nil	Nil	Centre commenced working from 1st October 1922

APPENDIX No 10

Statement showing the cost of boundary marks recovered at the time of survey of agricultural holdings in certain nam villages of the Satara District

Name of Taluk	Name of village	Total cost of boundary marks			Total amount recovered		
		Rs s p			Rs s p		
Solapur	Mahuli	1	143	0 0	1	143	0 0
	Jaitapuri	5	12	4 0	5	12	4 0
	Sonapur	6	7	12 0	6	7	12 0
	Boposhi	1,162	0	0 0	723	0	0 0
	Jambha	472	8	0 0	213	0	0 0
		3,377	8	0 0	2,659	0	0 0
Kandhar	Kolewadi	1	31	4 0	1	31	4 0
	Belwada	40	0	0 0	40	0	0 0
	Warunji	15	0	0 0	15	0	0 0
	Wadgaon Haveli	612	12	0 0	612	12	0 0
		829	0	0 0	929	0	0 0

Appendices
APPENDIX 11

998

A

*Statement of probationary teachers in Secondary Schools
for males*

Division	Number of probationary teachers	Service in full years on 1st August 1924
1	2	3
Bombay Division	1 1	1 1
Total	2	
Central Division	1 1	1 1
Total	2	
Northern Division	2 6 1	1 4 1
Total	9	
Southern Division	<i>Nil</i>	<i>Nil</i>
Sind	1 1	1 1
Total	2	
Grand Total	17	

APPENDIX No 11—*contd*

B

Statement of Acting teachers in Secondary Schools for Males

Division	Number of Acting teachers	Service in full on 1st August 1924
Bombay Division	1	5
	2	4
	2	3
	1	2
	3	New
Total	9	
Central Division	2	1
	1	New
Total	3	
Northern Division	3	3
	2	2
	2	1
	6	New
Total	13	
Southern Division	2	5
	2	1
	1	2
	5	New
Total	10	
Sind	3	3
	7	2
	5	New
Total	15	
Grand Total	50	

APPENDIX No 11—*contd*

U

Statement of Probationers under training at the S F College on 1st July 1924

Division	Number of probationers	Service in full years on 1st June 1924	Remarks
Bombay Division	1 2 1	7 3 1	A Marathi graduate from the Inspecting Branch
Total	4		
Central Division	2 1 1	3 1 New	
Total	4		
Northern Division	5 1 2	1 1 2	
Total	8		
Southern Division	1 2 1	1 3 2	
Total	4		
Sind	2 2 1	3 2 New	
Total	5		
Grand Total	25		

APPENDIX No 12

Statement

	Name	Caste	Qualifications	Percentage of V F results	Years of service put in at the time of appointment to Inspecting line	
					Y	M
1	Vasudro Bhau Gore	Brahmin	III 1882	Out of three sent up none passed in 1915	32	9
2	Waman Kashinath Tulpule	"	III 1887	60 per cent	28	10
3	Sakharam Nanyan Ghogale	Marathi	III 1906	He was 1st Assistant in Desam School, Malwan, when he was promoted	22	8
4	Hari Kharie	Brahmin	III 1891	He was doing general supervision which was much excellent	31	11

APPENDIX No 13

List of villages in Kaira and Broach districts of which one part belongs to Government and the other to Talukdars

District	Taluka	Names of village of which one part belongs to Government and the other to Talukdars		Remarks
		Villages where separate Police Patels are appointed for each block	Villages where only one Police Patel is appointed for the whole village	
1	2	3	4	5
Kaira	Borsad	Bhetshi Talpad Bhetshi Wanto Bhetshi Borsad Bhu		Each of these five blocks has a separate Police Patel
Kaira	Amod	Narad Talpa Narad Wanto		
Broach	Tambhar	Suod		Separate Police Patels are appointed for the two blocks of Suod
Broach	Amod		Amod	
Broach	Amod		Korwad	
Broach	Amod		Moti	
Broach	Amod		Lachhi	
Broach	Vagri		Ochhi	
Broach	Vagri		Dehri	

APPENDIX No 14

No S-99 (14)

Office of the Surgeon General with the Government of Bombay,

Poon 10th July 1924

MEMORANDUM

In continuation of this office Memo No S-99 (14) dated 20th May 1924 the Panchayat of Dadu are informed that the Surgeon General has inquired into the matter and finds no reason to transfer Mr. Mulchand Dunchand S.M.S., at present

(Signed) J. LAL M. SHAH, Captain, I.M.S.

for Surgeon General with the Government

of Bombay

Appendices
APPENDIX No 15

Statement

		Average monthly number dur ing the year 1923-24	Expenditure on Higher education i.e., Collegiate education		Total cost per pupil
			Total	Provincial Revenues included in the preced ing column	
			Rs	Rs	P ^a
Bombay Division	Arts Colleges	2 280	7,70,092	3,67,579	142
	Professional Colleges	2,187	5 76,826	2,15,132	264
Total		1,437	13,46,918	5,82,711	304
Central Division	Arts Colleges	1 777	3,56,068	1,43,952	202
	Professional Colleges	173	3 03,794	2,74,801	414
Total		2,150	6 61,862	4,18,753	308
Northern Division	Arts Colleges	773	2 11,716	85 572	274
Southern Division	Arts Colleges	443	75,321	11,781	170
Sind	Arts Colleges	538	1,55 621	23 196	280
	Professional Colleges	95	50,738	10,877	534
Total		633	2,06,359	34 073	326

N B—The Professional colleges in Bombay Division and Central Division, i.e., Law School Grant Medical College, Sydnham College of Commerce and Economics, Secondary Training College, College of Engineering and Agricultural College serve the purpose of all the Divisions in the Presidency.

APPENDIX No 16

Date	Mill visited	Halts	Duties performed and instructions given
24th Nov 1921	Dandeli	Days 28	Testing speed of saw benches Made arrangements for sharpening shop and saw house Instructing mill foreman and fitters in saw sharpening Took particulars of biases required for benches Fitted small pulley on main shaft engine drive Proceeded to Phondalundi and removed engine that had gone through bridge while being removed from Sambharu mill
14th Jan 1922	Waghai	2	Inspected contractor's mill Changed pulley on main engine drive Instructing in saw sharpening
7th Jan 1922	Karanjara	2	Instructing foreman on sharpening and made arrangements for benches to be made
15th Jan 1922	Dandeli	4	Instructing foreman and fitter in saw sharpening and setting and gulleting of circular saws
28th Jan 1922	Kuwatti	5	Inspected bearings of saw benches and shafting Instructing foreman in saw sharpening Arranged for sharpening benches, to be made
6th Feb 1922	Tumbapai	3	Instructing foreman in sharpening and made bench for sharpening circular saws
14th Feb 1922	Dandeli	12	Saw sharpening and regulated old saws
27th Feb 1922	Kuwatti	2	Repairing broken main shafting
1st Mar 1922	Dandeli	4	Saw sharpening
12th Mar 1922	Waghai	10	Instructing saw sharpening and refitting bench biases
23rd Mar 1922	Karanjara	4	Inspected and refitted saw bench biases and instructed foreman in saw filing
3rd Apr 1922	Dandeli	17	Saw sharpening recutting teeth of vertical saws
25th Apr 1922	Kuwatti	4	Instructing foreman in sharpening and refitted and scraped biases of 42" bench
24th Apr 1922	Dandeli	5	Saw sharpening, etc.
9th May 1922	Waghai	7	Saw sharpening and unpacked engine parts of new engine for Chikalda mill
16th May 1922	Chikalda	2	Unpacked saw benches and removed engine over river to new site

APPENDIX No 16—contd

Date	Mill visited	Halts	Duties performed and instructions given
		Days	
24th May 1922	Dandeh	21	Saw sharpening, gulleting setting, to fixing up saw bench Milling bench for repairing brasses Refiling teeth to old circular saws
26th June 1922	Sumbur	'	Instructed sharpening saws and adjusted bench fences
17th July 1922	Do	1	Fixing up horse and instructing saw gulleting
2nd Aug 1922	Do	1	Refitted saw bench brasses 36 and saw sharpening
12th Aug 1922	Sumbur	1	Sorting out old saws for repair
24th Aug 1922	Dandeh	1	Removed saw bench for Budal mill Northern Circle
3rd Sept 1922	Kurwatta	'	Inspected saw and instructed for filing, etc Sorted out old saws from stock for repair
14th Sept 1922	Dandeh	1	Inspected mill with Divisional Forest Officer Northern Division Kurwatta
4th Oct 1922	Do	1	Packed saw bench for Budal mill
21st Oct 1922	Do	1	Instructing filing and gulleting and fitting brasses
2nd Nov 1922	Do	29	Instructing saw sharpening, gulleting, setting of vertical and circular saws Packing bench for despatch to Nuzvid Fitted up new saw bench and cracked same Fixed and erected Pole cross cut bench and sharpened saws of same for testing Repairing saw sharpening machine Fixing up Pole cross cut with Potter engine for test Repairing vertical frame saw Arranging for tools for the erection of the Chulalda mill, Northern Circle
21st Dec 1922	Chulalda	69	Erecting mill shed Excavating of main shaft pits and shoring same Fixing shafting and pulleys Erecting engine Erecting American Log Mill 18" saw bench, 36 saw bench 30 cross cut saw Auto saw sharpener Fixing up all belts and testing same Guarding all belt drives Fixing water tank and pump for water supply
5th Mar 1923	Kurwatta	9	Instructing saw sharpening Covered all belt drives and main shaft pits Repaired belt joints and refitted main shaft bearings Inspected and reported on same of the Gunjawata contractor's mill to the Conservator of Forests, Southern Circle

APPENDIX No 16—*contd*

Date	Mill visited	Hours	Duties performed and instructions given
25th Mar 1923	Chikilda	Days 7	Instructing foreman the working of the Auto sharpening machine and the setting of saws. Testing American Log Mill Firing Pendulum cross cut and dev'd roller way
9th Apr 1923	Bidai	15	Excision of Badgi saw mill Mill shed, etc. Excavating main shaft pit and covering same. Erection and repairing engine 12 inches bench, 30 inches 36 inches and 24 inches benches. Saw sharpening machine water tank and pump for water supply. Store shed. Firing belt and Running engine and testing shifting firing main shifting and pulley
19th May 1923	Chikilda	4	Instructing foreman how to work Auto sharpening machine. Testing all benches and speeds of saws
1st June 1923	Kiwatta	5	Refitted foundations of engine. Examined all bearings. Instructed saw sharpening. Refitted new loose pulley bush on 36 inches bench and new collar
8th June 1923	Dandeti	5	Adjusted feed of vertical fine saw. Made wooden lid table for cutting paving locks. Instructed foreman in saw sharpening
22nd June 1923	Do	3	Recut teeth of cross cut saw for fuel cross cut bench. Regulated saws and instructed saw sharpening
5th July 1923	Do	26	Saw sharpening, gulleting etc. Extending saw sharpening shop and tensioning for saws. Fitted up key cutting machine. Arranging and giving foreman instructions how to make wooden bench for testing buckled and dishod saws. Inspecting saw bench bearings. Fixing up rail for tensioning of saws. Saw sharpening and setting. Rejointing old belts for use in mill. Removing belts from machines and removing water from main shaft pits. General mill supervision
20th Aug 1923	Do	9	Fixing up bench 24 inches for despatch to Chikilda. Arranging for wooden pulleys to be made for saw testing bench. Tool stock of new saws in stores and arranged stores. Firing wooden pulleys on saw testing machine. Fixed pulley on main shaft for testing bench. Unpacked Simplex saw sharpening machine. Erected Simplex machine over head shaft for same. Saw sharpening gulleting and setting of saws

APPENDIX No 16—contd

Date	Mill visited	Halts	Duties performed and instructions given
12th Sept 1923	Dundel	Days 16	Running and testing Simplex sharpening machine Despatched key cutting machine to Bombay Unpacked Robinson's Auto sharpening machine Recutting teeth of saws for Pole cross cut outfit Getting foundations ready for Auto machine Erecting of Auto sharpening machine and testing same Instructing sharpening on Auto machine Instructing sharpening by hand Tensioning of old saws
14th Oct 1923	Chikalda	12	Supervision of Chikalda saw mill Instructing foreman and fitter on the Auto sharpener Recut all teeth of circular saws Fixed up pump for water supply to engine Removed hand saw to make room for the 24 inches bench Drilling saw holes for American Log mill Fitting 24 inches bench set from Dundel Instructing belt jointing with crescent rivet fasteners Inspected all bearings of benches, shifting and engine Adjusted American Log Mill for test, etc
11th Nov 1923	Budga	7	Instructed in belt jointing with crescent fasteners Removed 36 inches Marshall bench to get better position Removed 24 inches wooden bench for cross cutting Instructed for saw sharpening and setting and gulleting Shortened American hand cross cut saws Covered in all belt drive and main shafting pits
26th Nov 1923	Dundel	31	Instructing and working Auto sharpening machine Recutting teeth in all saws to suit cam of Auto sharpening machine Fitting larger pulley on main shaft to increase speed of Auto machine Instructing setting and gulleting of saws on hand gulleting machine and saw setting bench Inspected bearings of benches and shifting Adjusted all fences of benches Examined all belt joints and repaired same Instructed on belt jointing with crescent rivet fasteners and Jackson's plate fasteners Tensioned old saws and saws out of tension for use in mill Rebuilt centre holes of saws to be changed for 42 inches to 36 inches benches Unpacked American Log mill Took down 42 inches bench, removed old bearings returned saw mendrel and refitted same with new bearings Erected 44 inches bench now in place of 42 inches that was sent to Budga Sorted and checked parts of American Log mill for testing with Fordson tractor Testing of American Log Mill

APPENDIX No 16—*contd*

Date	Mill visited	Halts	Duties performed and instructions given
		Days	
28th Feb 1924	Chikalda	21	Fixed extra shifting overhead to extend crosscut saw. I removed cross cut saw to give more room for timber when coming from the 48 inches bench. Repaired dead roller way. Guarded up back of cross cut saw. Adjusted cone bearings of auto sharpening machine. Removed 18 inches bench bio to give longer belt drive. Adjusted wood work of American log mill and realigned mandrel to give correct level for cutting sizes correct. Refitting brasses on 2 inches overhead and turning same of main shaft bearings. Made rods to take circular saws. Instructed on saw sharpening gulleting etc. Repaired all belt joints and instructed how they should be done. Made arrangements for wooden pattern to be made for main shifting and overhead shifting. Sorted and arranged stores and give instructions to foreman how stores to be kept.
24th Mar 1924	Karanjara	4	Instructed saw sharpening setting of circular saws also hand American crosscuts. Inspected bench and shift bearings. Adjusted main shaft bearings. Removed main crank brass from engine and refitted new. Packed up mandrel and brasses of 36 inches bench for repair at Dandeh. Inspected steam valve and connecting rod bearings of engine.
4th Apr 1924	Dandeh	4	Checked stores. Inspected saws and bearings of machines. Getting timbers for new way for vertical long mill. Retensioned saws.
9th Apr 1924	Sambrani	1	Checked stores and inspected mill, saws and bench.
10th Apr 1924	Bomanhalli	1	Pegged out new site for mill from Sambrani.
11th Apr 1924	Dandeh	5	Saw sharpening tensioning, fitting new timber for vertical log mill.
25th Apr 1924	Chikalda	42	General mill supervision. Foreman on live. Taking up main shafting removing all pulleys and taking out old brasses. Fixing new supports for shafting bearing. Fixing new ring oil bearings and moving shafting 9 inches to give new bearing to shaft. Realigning shaft and pulley. Re-cutting teeth on Auto sharpener. Taking out old bearing of auto machine and fitted new ones. Repairing back guide to same.

APPENDIX No 16—*concluded*

Date	Mill visited	Hours	Duties performed and instructions given
		Days	
14th June 1924	Bidga	4	<p>and fitting steel slides. Moved main water tank from river to mill. Fitted new cam on auto shaper. Making new spindle for handgulltong machine. Checked stores and labelled all stores for Ranger's and Foreman's guidance. Reprimed all belt joints. Clearing of Depot. Arranging for a stacking shed. Supervising building of a bungalow on mill site. Cutting and sorting seasoned timber for new way of the American Log Mill. Adjusting Log Mill. Sharpening and setting of American hand cross cut for depot and fellings. Sorting all circular saws and recutting and putting all in running order.</p>
23rd June 1924	Dundeh	4	<p>Inspected mill, bearings, loose pulleys and belts, etc. Instructed saw sharpening of circular and American hand cross cut saws. Checked stores.</p> <p>Dimensioning old saws. Saw sharpening. Fitting, cutting of vertical log mill. Checked stores, and arranged same.</p>

APPENDIX No 17

*List of ancient monuments declared to be protected in the
Kanara District*

Serial	Locality	Name of monument	Class	Remarks
Karwar	Chitakule	European graves about 6 miles from Karwar across the Kalmadi	II (a)	
Do	Madhul	Madhul eshwar temple	II (b)	Withdrawn first and redeclared
Do	Do	Inscriptions in temple	Do	
Do	Do	Carved bedstead of stone existing in small chamber in the south side of the compound of the Madhul eshwar temple	I (b)	
Do	Somanagar	Temple of Siva	II (a)	
Do	Sonda	The King's seat	II (a)	
Do	Do	Jain monastery	II (b)	Withdrawn
Do	Do	The shrine or Honchal math	Do	Do
Do	Do	Temple close to and to the south of the King's seat at Sonda	II (a)	
Kumta	Gokarn	Inscriptions in the Mahableshwar temple	I (b)	Withdrawn
Do	Mirjan	Fort	II (a)	
Do	Do	Two inscriptions in the Mirjan bungalow compound and the figure of a tiger	Do	
Do	Kumta	The figure of a tiger opposite the English school	Do	
Do	Do	Tombs on the right side of the Manki Kumta Road	Do	
Siddapur	Bulga	The Jain busts of Parshwanath	Do	Withdrawn
Do	Do	Virupaksha temple	II (b)	Classification changed II (a) to II (b)
Do	Do	Inscriptions	II (a)	

APPENDIX No 17—*contd*

S No	Taluka	Locality	Name of monument	Class	Remarks
18	Siddanur	Bilgi	A small deserted temple dedicated to Siva, on the east of the river	II (a)	
19	Do	Bedhani	Stones (Viragals)	III	Classification changed from II (a) to III
20	Do	Hosur	Carved stones near the temple of the Gram Deva	III	Classification changed from II (b) to III
21	Honnavar	Balur	Inscriptions in the Markandeshwar temple	I (b)	
22	Do	Nagarbasti or Gersappa	Chaturmukha Basti	II (a)	
23	Do	Do	Vaidhaman Swami temple	II (a)	
24	Do	Do	Virbhadr temple	I (a)	
25	Do	Do	Inscriptions	Do	
26	Bhatkal	Bhatkal	Ketpai Narayan Devasthan	I (b)	
27	Do	Do	Santappa Naik Trimal Devasthan	II (b)	
28	Do	Do	Narsinha Devasthan	Do	
29	Do	Do	Joshi Shankar Narayan Devasthan	Do	
30	Do	Do	Raghunath Devasthan	Do	
31	Do	Do	Lakshmi Kamata Narayan Devasthan	Do	
32	Do	Do	Adke Narayan Devasthan and 2 others (1) Virupaksha Devasthan (2) Venkateswara Devasthan	Do	(2) With drawn
33	Do	Do	Jattappa Naik in Chandia Natheshwar Basti	I (a)	
34	Do	Do	Padaswannaheshwar Basti	II (b)	
35	Do	Do	Santeshwar Basti	Do	
36	Do	Do	Three European graves	I (a)	
37	Do	Do	Inscriptions	II (b)	
38	Do	Hadvali	Chandimath Deva Basti	Do	

APPENDIX No 18

*Statement showing the names of the places where the Marathi schools
in the Kanara District are situated*

No	Place where Marathi boys' schools are situated	No	Place where Marathi girls' schools are situated
<i>BOYS'</i>		<i>GIRLS'</i>	
<i>Karwar Taluka</i>		<i>Karwar Taluka</i>	
1	Karwar (Municipal School)	1	Karwar (Municipal School)
2	Gabitwada (Local Board)	2	Kadawad (Local Board)
3	Sadashivgad (Local Board)	3	Sunakeri (Local Board)
		4	Sadashivgad (Local Board)
		5	Majali (Local Board)
<i>Ankola Taluka</i>		<i>Ankola Taluka</i>	
4	Koni (Local Board)	6	Ankola (Local Board)
<i>Kumta Taluka</i>		<i>Kumta Taluka</i>	
5	Bhavikodla (Local Board)	7	Kumta (Municipal School)
<i>Supa Petha</i>		<i>Yellapur Taluka</i>	
6	Castle Rock (Local Board)	8	Yellapur (Local Board)
7	Evoli (Local Board)	<i>Halyal Taluka</i>	
8	Tinai (Local Board)	9	Halyal (Municipal School)

APPENDIX No 19

A.—Statement showing the number of subordinate officials of the permanent as well as temporary establishments with their designations who have been dismissed or discharged or whose services have been dispensed with in the Kanara District during the time of the present Executive Engineer of that District

Designation	Number of subordinates dismissed		Number of subordinates discharged		Number of subordinates whose services were dispensed with	
	Permanent	Temporary including work charged	Permanent	Temporary including work charged	Permanent	Temporary including work charged
Upper Subordinates				1		
Lower Subordinates					1	
Draftsman						
Sub Divisional clerks		1		1		
Mustering karkuns		1		2		1
Ministries				1		
Peons				2		
Chowkidar		1				
Total		6		7	2	4 19

B.—Statement showing the number of subordinates who took leave over one month during the time of the present Executive Engineer of the Kanara District, viz, from June 1920 to May 1924

Establishment

Permanent	25
Temporary	14
Work-charged	22

APPENDIX No 20

*Statement showing information regarding prosecutions under Abkari Act
in the West Khandesh District for the year 1923*

Serial No	Name of Taluka	Total number of prosecu- tions	Number of prosecu- tions which ended in convic- tions	Number of cases in which accused were sentenced to suffer imprisonment Fine only		Remarks
1	2	3	4	5	6	7
1	Dhulia	36	30	24	6	
2	Sindkheda	56	42	17	25	
3	Shirpur	27	26	21	5	
4	Shahada	39	37	19	18	
5	Taloda	188	186	54	132	
6	Nandurbar	139	132	38	94	
7	Nawapur	518	518	19	499	
8	Sikri	38	35	26	9	
	Total	1,041	1 006	218	788	

APPENDIX No 21

Annual Report (1923-24)

I held the charge of the office of the Agricultural Engineer to Bombay Government during the year under report

The activities of the Department were not solely devoted to advisory and research work as anticipated last year as there was a considerable increase in the executive work which took up most of the time of the staff and consequently the research work in connection with the modification of implements and Agricultural Machinery, the survey of pumping sites on rivers for famine purposes and periodical inspection of Agricultural Machinery belonging to the Department has suffered. In the circumstances I was unable to visit Sind during the year and continue my investigations of last year.

The work actually done is summarised in brief as under —

Modifications of Machines — A locally made Winnower from the Jalgaon Farm sent by the Deputy Director of Agriculture for various improvements, has been taken in hand in order to reduce the driving power required, replace the tooth wheel gearing with a better and more efficient substitute, rearrange the shaking of the riddles and reduce the terrible noise now produced to a minimum. The tooth gear has been entirely done away with and a roller chain gearing having $\frac{3}{4}$ " pitch with necessary sprockets, bearing and a new shaft have been substituted to reduce the friction and the power to a minimum. The fan spindle bearing have been replaced with temporary roller bearings made at the shops and the spindle machined wherever necessary together with the bearings of main driving shaft.

The riddle arrangement is in progress and it is expected to be completed for a final test within a couple of months time. There has been also a great necessity of a suitable seed drill box for sowing Jwar. A box suitable for the purpose have been newly made and is under test for further modifications.

Resource in case of Breakdown — The crusher at Manjri broke down during the crushing season which took up much time to put it in working order. While it was under repairs a combined cane crushing plant consisting of a B H P Blackstone Cude Oil Engine and a No 92 Chattanooga cane crusher had to be temporarily removed to Manjri, fixed and run there until the farm crusher was repaired.

Mr S V Supnekar who has had a pumping installation set up on the river Koyna at Supna, District Satara, through this department approached us for help at the eleventh hour to put his engine right and save his crops. On inspection it was found that the engine required considerable repairs which were not possible in so short a time. A suitable engine had to be therefore sent to him on hire and fixed at his site to save the situation.

Mr M B Mohite of Satara also came with the same difficulty when the cylinder of his engine cracked rendering the engine useless for work until it was replaced. A Norton had to be sent to him on hire to save his crops until the engine was put right.

Mr Kuber of Dahivadi also fell in the same plight when his engine broke down which had to be substituted with one of the famine sets in order to save his crops until his engine was thoroughly repaired and erected on a new foundation

Owing to the failure of rains the number of enquiries for pumping crushing and other Agricultural Machines has fallen considerably. Out of 107 enquiries 12 were for power pumping, 4¹/₂ for boring, 2 for cane crushing, 10 for motor plugging, 62 for admission in the oil engine class and 12 for general work. Of the pumping enquiries 2 were of a very complicated nature requiring heavy initial outlay and consequently Messrs Wakhand and Co of Bombay, promoter of one of them, had to give up the idea for the present as it was not a feasible proposition. Mr Narottam Morari, promoter of the second, is likely to go in for a plant but nothing has yet been heard from him definitely. One of the inquiries from Sind from the Court of Wards has recently matured and I have at present in hand working drawing for the installation in question.

The Chharodi Government Farm was for a long time badly in need of a power plant for supplying water to the cattle as there was much scarcity and difficulty of good drinking water in the whole area during a hot weather. A couple of bores were specially taken in the well close to the office and bungalow for a copious supply of fresh water and the well near the office was found to be more convenient and possessing several facilities for a power plant. Accordingly plans for a suitable power plant capable of delivering water to the several byres through an elevated tank were made, the plant purchased and erected.

There are also some machines such as Ensilage Cutter, Grinding Mill Engine, Countershaft, etc., to be fixed on the Bankapur Farm and thus work has been taken in hand with the help of the Mechanical Assistant from the Southern Division.

Two combined self-contained cane crushing plants, one consisting of 6 5 B H P Blackstone oil engine and No 44 Chhattanooga Crusher, and another of a 15 B H P Blackstone Crude Oil Engine and No 92 Chhattanooga cane crusher complete with Juice Pump, megasee carrier, etc., mounted on special girder frame requiring no foundation have been worked for the South Central Division during the crushing season as per Government G. R. E. D No 5122 of 30th November 1922 issued on the recommendations of the sugarcane committee. The plants, however, are found to be too small in size as they do not deal with 1 ton of cane individually per hour. Bigger units have therefore to be recommended and if their purpose is sanctioned we shall be able to obtain more valuable data regarding crushing of cane.

The trials of the 15 27 Case Tractor in Khandesh were continued this working season and the tackle has ploughed about 144 acres and 16 gunthas of cultivator's lands to the end of May last at Rs 10 per acre realising about 1,444-0-0 although the charges are not yet recovered.

These machines require continued and exhaustive trials in order to enable us to say something definite about their efficiency and use when compared with bullock powers.

There is again the trouble of getting trained men to handle these machines as it is entirely new to this country and the men will have to be trained along with the continued trials until their advantage over bullock power is well established and widely spread and several people go in for them under normal conditions. The machines under trial met with numerous breakage during the trials on account of unsuitable conditions and raw men. There is not a very big demand for such machines at the moment and consequently the spare part service is very poor compelling us to stop the operation with a slight breakage until the broken part is replaced either by making it at one of the big engineering shops or importing it from the makers through the agents.

Continued exhaustive tests are the only solutions to solve the above difficulties and enable us to form a definite opinion about the utility of these machines for the cultivators in general and with this view in mind Government have recently been pleased to sanction another tractor for trials in South Gujarat and when this is set in action along with the Fordson now at Chharodi in North Gujarat and the 15/27 Case again in Khandesh we shall be able to obtain valuable data about their performance.

The Steam Plough at Savnur was not working during the last rain season as Sardar Mahaboolbalikhan withdrew his offer to take it on hire owing to failure of rain and scarcity of water.

Funds were again available for the completion of the Fodder Baling and Bruising Plant at Karajgi during the year under report and accordingly the two hydraulic presses, the Bruiser with elevator, Kith fan, platform, etc., the countershaft, the Fourthrow Hydraulic Pump, the engine, etc., were erected on their respective positions, the fencing for the whole yard completed with gates and an overbridge at the main entrance, the tram line laid all over the yard, for transport purposes, the frame work of the two sheds painted and the flooring of the big storage shed and the machinery shed finished in lime concrete.

The plant will be tried within a couple of months time and it is anticipated that regular work of pressing bruised Kirthi will be started from the middle of November next if the rains are favourable.

During the year under report there were only three pumping plants on hire to cultivators for irrigation purposes out of which two will be shortly returned and brought back to Poona owing to the parties failure to pay the hire charges. Rs. 2,265-2-6 have been realised in the way of hire including Rs. 1,073-8-0 as old recoveries.

Along with the inquiries for the pumping plants on hire for irrigation purposes there are good many demands from agriculturists for emptying wells with power plants for sinking or deepening purposes. They are required generally for a very short duration and the expenses due to foundation and reaction are useless to the party after the work is completed. We have a very inadequate number of plants for this purpose and it is a matter for consideration whether such applications should be entertained for all and sundry.

The pumping plant at Nangaon on the river Bhima in Poona District irrigated about 79.31 acres of Perennial crops, 91.2 acres of kharif and

164 14 of Rabi realising a total revenue of Rs 4 272-10-0 during the year under report. This amount does not cover the actual expenditure incurred as the water is given to the cultivators on special concession rates. A scheme is under consideration of increasing the water charges so as to cover the total running charges and handing over the distribution of water to a co-operative society and we shall be able to know something definite about its feasibility during the next year.

In addition to scrutiny and purchase of all stores and other equipments for the territorial officers and general advice in boring matters including purchase of new machines, removal of accidents, etc. to the divisions, individual inquiries and Local Boards, the department has converted one hand power Musto Patent Boring Machine into a power unit for the South Central Division and inspected the boring machines in the Southern Division, and North Central Division. Three bore holes in a well at Wakora in Thana District were torpedoed with five charges with a view to open up the fishers underneath and tap more quantity of water. The result was not so very disappointing as the water level in the well was raised by 9 inches.

The oil engine class trained 22 cultivator students in the running of oil engines and pumps.

In general there were varied sorts of activities in the Department throughout the year in which preparation of famine sets and the overhauling and getting ready of the old Fowler and Wyles motor plough for further trials were included.

The staff has been all along very satisfactory and most willing and enthusiastic.

(Signed) W M SCHUTTE,

Agricultural Engineer to Government, Poona

APPENDIX No 22

No	Name of probationer	Caste	Date of birth	Place of residence
1	W N Bakhtyar	Mahomedan	7 2 1894	Savnu
2	Nawabzada Meer Saeed Alam Khan	Do	28 12 1892	Surat
3	Ishvairal Thakorlal Almaula	Brahma Kshatriya	1 4 1900	Broach
4	Shankar Balvant Chavan	Maratha	25 7 1898	Poona
5	Mahomed Ismail Abdul Hakim Kadri	Mahomedan	25 4 1897	Abdul Halim's village taluka Ruto Dero, district Larkana

No	Name of probationer	Educational qualifications	Class in which the probationer stood at the University examinations by him	Date of appointment as probationer
1	W N Bakhtyar	B A, LL B	Pass Class	28 7 1921
2	Nawabzada Meer Saeed Alam Khan	B A (Oxon), Bar at Law		15 10 1923
3	Ishvairal Thakorlal Almaula	B A, LL B	Pass Class	16 10 1923
4	Shankar Balvant Chavan	B A (Dakshina Fellow), Fergusson College	First Class Honours	22 10 1923
5	Mahomed Ismail Abdul Hakim Kadri	B A	Pass Class	30 11 1923

APPENDIX No 23

Statement showing the number of new primary schools opened in the Northern Division

District	Government					District Local Board					Municipalities					Remarks
	1920-21	1921-22	1922-23	1923-24	1924-25	1920-21	1921-22	1922-23	1923-24	1924-25	1920-21	1921-22	1922-23	1923-24	1924-25	
Ahmedabad		4*		1				3							1	*Opened when the Municipalities non co operated and absorbed into the Municipal schools since then
Kaira	6*			1				1	1			10		2		
Panch Mahals				1								4				
Broach				1												
Surat						1		1			1			1		
	6	1		4		1		8	1		1	11		4		

APPENDIX No 24

STATEMENT A

Amount of building grant for District Local Board primary schools given to each of the districts in the Northern Division during the last five years

Name of District	Year				
	1919 20	1920 21	1921 22	1922 23	1923 24
Ahmedabad	33 017		8,590		4 225
Broach	11 445		762		3,235
Kaira			8,065		
Panch Mahals	11,138				
Surat					
Total	55 600		17,420		7,460

STATEMENT B

Amount of building grant for Municipal primary schools given to each of the Districts in the Northern Division during the last five years

Name of District	Year				
	1919 20	1920 21	1921 22	1922 23	1923 24
Ahmedabad	4,02 080				
Broach					11,492
Kaira	4,807				23,628
Panch Mahals					
Surat	2,737				
Total	4,08,604				35 120

APPENDIX No 24—*contd*

STATEMENT C

Amount of building grant for recognised primary schools given to each of the Districts in the Northern Division during the last five years

Name of District	Year					Remarks															
	1919 20	1920 21	1921 22	1922 23	1923 24																
Ahmedabad						Besides these amounts the following grants were paid for hostels — <table><tr><th>District</th><th>Year</th><th>Amount Rs</th></tr><tr><td>(1) Panch Mahals</td><td>1921 22</td><td>4,860</td></tr><tr><td>(2) Kaira</td><td>1920 21</td><td>10,000</td></tr><tr><td>(3) Kaira</td><td>1921 22</td><td>11 799</td></tr><tr><td>Total</td><td></td><td>26 659</td></tr></table>	District	Year	Amount Rs	(1) Panch Mahals	1921 22	4,860	(2) Kaira	1920 21	10,000	(3) Kaira	1921 22	11 799	Total		26 659
District	Year	Amount Rs																			
(1) Panch Mahals	1921 22	4,860																			
(2) Kaira	1920 21	10,000																			
(3) Kaira	1921 22	11 799																			
Total		26 659																			
Broach																					
Kaira																					
Panch Mahals				1,910	6,914																
Surat																					
Total				1 910	6,914	The last two items are on account of the Talukdari Hostel at Nadiad which is intended for Talukdari pupils attending secondary as well as primary schools															

APPENDIX No 21

PRESS NOTE

The question of co-ordination of the Agricultural and Co-operative Departments has been engaging the attention of the Minister of Agriculture and Co-operative Societies for some time past. A joint note on the subject prepared by the Registrar of Co-operative Societies and the Director of Agriculture, was discussed at the last meeting of the Provincial Board of Agriculture held in August 1921. The Government of Bombay (Transferred Departments) are pleased to pass the following orders.

1 Six Divisional Boards will be constituted for the following divisions —

- (a) Sind
- (b) Gujarat,
- (c) Khandesh and Navik,
- (d) Deccan,
- (e) Southern Maratha Country,
- (f) Konkan

Each Board is to consist of two officials and four non officials, two of whom shall represent the co-operative movement and two shall be representatives of agriculture.

The Chairman of each Board will ordinarily be the Senior Official for the time being, who will be responsible for calling meetings and conducting correspondence. The Chairman shall have a casting vote in case of equality.

The Boards will control the portions of the Government grant for loans to Agricultural Societies now in the charge of the Registrar of Co-operative Societies and of the discretionary grants for propaganda purposes now in the charge of the Director of Agriculture, as distributed by those two officers among the divisions. The Boards will also advise on the application of the policy of the two Departments within the division and will have power to call for any information and data required from the Assistant Registrar or Assistant Registrars and the Deputy Director of Agriculture.

The Boards will meet at least once in a quarter, will keep regular proceedings and will report through the Chairman to the Director of Agriculture and the Registrar jointly.

All recommendations of the Boards will be considered by the Director and the Registrar sitting jointly, and orders on the proceedings or recommendations of the Boards will be issued by those officers jointly. In case of disagreement, the matter will be referred to the Minister for decision.

These Boards will not deal with the research work of the Agricultural Department or the Agricultural College

2 The propaganda work of the Agricultural Department should be, by preference, done in connection with Co-operative Unions, or where they do not exist with isolated Co-operative Societies. For this purpose —

(a) A list of the Unions and Societies in each Division, with suggestions for openings for work, should be supplied to the Deputy Director of Agriculture for the Division concerned, and to the Director of Agriculture

(b) A list of the Propaganda Agricultural Officers, and the special work they can do, with their range of action, should be supplied to the Assistant Registrar for the Division concerned, and to the Registrar of Co-operative Societies

(c) The work of the Agricultural Organizers appointed for Co-operative work should be controlled by the Director of Agriculture, their pay and travelling allowances being, however, met by the Co-operative Department on the certificate of the officer under whom they are working. Their diaries will be submitted to the Director of Agriculture, and their appointments should be made on the latter's recommendations. The Director of Agriculture will also be responsible for moving the Registrar to withhold their increments or to give them special promotions, and the Registrar will transfer, promote and reduce such officials or give them leave on the advice of the Director

(d) A report on the work done by the Propaganda staff including Agricultural Organisers will be submitted to the Divisional Board by the department concerned every quarter and forwarded to the Director of Agriculture and the Registrar of Co-operative Societies with the Board's remarks

(e) The primary duty of the organizing members of the Propaganda staff will be to encourage co-operative development whenever possible and suitable

(f) While the members of the Propaganda staff will, in general, work through Co-operative Unions wherever existing as the most promising means of spreading agricultural improvements, yet they will not be precluded from giving their services to individuals where this is desirable, either from the absence of Co-operative organizations or from other exceptional circumstances

(g) The work in any division should be normally under the control of the Assistant Registrar or the Deputy Director of Agriculture each in his sphere, and where there is an expert Propaganda Officer for the Presidency, directed from Poona, his services should be used in consultation with, and with the knowledge of the Assistant Registrar and the Deputy Director concerned

REVENUE DEPARTMENT

Secretariat, Fort, Bombay

Dated the 21st October 1921

Forwarded to—

The Commissioner in Sind (with a request that the Press Note may be published in the *Sind Official Gazette*, and that printed copies of the translation of it into Sindhi may be distributed to the Editors of Sindhi Newspapers in Sind),

The Commissioners of Divisions,

All Collectors, including the Deputy Commissioner, Upper Sind Frontier,

The Director of Agriculture,

The Registrar of Co operative Societies,

The Director of Information,

The Director of Industries,

The Accountant General,

The Oriental Translator to Government (with a request that the Press Note may be translated into Gujarati Marathi and Kanarese and that printed copies of the translations may be distributed to the Editors of the Vernacular Newspapers in those languages in the Presidency proper including the Town and Island of Bombay),

The Manager, Government Central Press (with a request that the Press Note may be published in the *Bombay Government Gazette*),

The Superintendent, Government Printing and Stationery, Bombay,

The Editors' Tables and the Editors of Newspapers,

All Registered Libraries,

The Secretary to the Legislative Council (for the Reading Room for the Members of the Legislative Council),

The Non Official Members of the Legislative Council,

The General Department,

The Political Department,

The Public Works Department,

The Financial Department

By order of the Government of Bombay (Transferred Departments),

SHAMRAO D MAN'KAR,

Under Secretary to Government

APPENDIX No 26

No 2563—F

EDUCATIONAL DEPARTMENT

Bombay Castle, 13th October 1923

Subject — *Discharge*—
Ghate, Mr G S
Application for re-instatement

MEMORANDUM

The undersigned presents compliments to the Director of Public Instruction and with reference to the correspondence ending with his letter no B 6867, dated the 21st August 1923, on the above subject, is directed to state that the following rule may be observed in future in discharging employees as a result of retrenchment, *viz*, that the services of all acting men should be dispensed with first before any probationers are discharged, unless the work of the latter is reported to be *unsatisfactory* subsequently to their being made probationers

2 In the case of the probationers already discharged Government are of opinion that subject to the proviso in paragraph 1 above the following procedure should be adopted —

(a) they should be re-employed with as little delay as possible in accordance with the rule in paragraph 1 above if this can be done without causing more injustice,

(b) where this cannot be done they should be given the *first refusal* of any post which may fall vacant hereafter,

(c) if re-employed their previous probationary service should count for increments in fixing their initial pay on re-employment,

(d) the usual age limit should not be enforced

The Director of Public Instruction is accordingly requested to consider all such cases and refer them to Government at a *very early* date for orders

By order of the Government of Bombay
(Transferred Departments),

(Signed) G WILES,
Secretary to the Government of Bombay,
Educational Department

APPENDIX No 27

Statement showing the names, qualifications, etc., of officers promoted from the Subordinate Educational Service to the Bombay Educational Service during the last five years

No	Name	Designation	Qualifications	Service on 1st July 1921	Remarks
<i>Administrative Branch—</i>			<i>Men</i>	<i>Y M D</i>	
1	K G Pundlik	Principal Training College for Men, Poona	B A	27 2 25	
2	*R D Advani	Deputy Educational Inspector, Hyderabad	B A	28 11 12	Acting Head Master, N J High School, Karachi
3	*L G Bhowani	Do Karachi	B A	21 6 20	
4	*G G Padhye	Do Ahmednagar	B A	26 10 16	
5	*K G Gadwani	First Superintendent, Director of Public Instruction's Office	B A	27 5 30	
6	S D Contractor	Personal Assistant to the Educational Inspector in Sind	B A	20 7 11	Acting Educational Inspector in Sind
7	J P Shroff	Head Master High School, Godhra	B A	29 0 21	
8	V N Nabar	Do Bijapur	B A	25 10 22	Doing duty as Head Master, High School, Sholapur
9	Rao Saheb S L Ugrankar	Do Karwar	B A	23 10 15	Doing duty as Head Master High School, Belgaum
10	*S M Dalal	Deputy Educational Inspector, Panch Mahals	B A	33 6 9	
11	*C N Merani	Do Suklur	B A	31 5 2	
12	*D C Lakshmalani	Do Larkana	B A	30 11 7	
13	S S Deodhar	Principal, Training College, Dhulia	B A	29 5 29	
14	*K B Shahani	Deputy Educational Inspector, Thar and Parkar	B A	28 5 18	
15	*H K Gokhale	Do Bijapur	B A	23 8 17	
16	*R S Dikshit	Do Poona	B A	24 11 27	

*As Deputy Educational Inspectors were technically in the Subordinate service prior to 1st April 1921, the names of those who were permanent before that date have also been included. An asterisk has been placed against their names.

APPENDIX No 27—contd

No	Name	Designation	Qualifications	Service on 1st July 1924	Remarks
<i>Administrative Branch—M—contd</i>					
17	V V Sathaye	Personal Assistant to the Educational Inspector C D	B A	26 5 29	
18	*G P Shah	Deputy Educational Inspector Surat	B A	29 4 0	
19	D V Joglekar	Head Master High School Bharu	B A	11 10 30	
20	N A Ghulam ally	Principal Training College for Men Hyderabad	Matriculate	9 11 15	
21	*Rao Saheb V G Sant	Deputy Educational Inspector Sholapur	L A	21 11 0	
22	*D V Gangal	Do Phana	B A	24 5 10	
23	*K S Dikshit	Do Satara	B A	24 0 16	
24	M N Sabnis	Do East Khandesh	B A	23 2 15	
25	D V Mirchandani	Head Master High School, Hyderabad	B A	20 10 27	
26	*G I Shah	Deputy Educational Inspector, Kuma	B A	21 11 21	Done duty as Personal Assistant to the Educational Inspector Northern Division
27	A R Sirdesai	Finance Superintendent Director of Public Instruction's Office	B A	17 4 6	
28	Ata Hussain	Deputy Educational Inspector Aden	B A L F	16 6 20	
29	G B Jamkhindi	Do Dhawai	B A	21 11 20	
30	D S Naravala	Head Master High School Nadiad	B A	25 11 0	
31	S M Advani	Do Shikarpur	B A	24 10 13	
32	L P Wadhvani	Do Lalkana	B A	23 9 14	
33	*Khan Sahab Shaikh Bakerali Amerali	Deputy Educational Inspector Nasik	Matriculate	26 11 30	
34	Gulam Nabi Din mahomed Kazi	Head Master Nausahani, Madrasah & High School	B A	11 2 30	
35	D R Bapat	Personal Assistant to the Educational Inspector B D	B A	23 3 0	
36	M S Thodlas	Head Master, High School Ratnagiri	B A	24 0 19	

* As Deputy Educational Inspectors were technically in the Subordinate service on 1st April 1921 the names of those who were permanent before that date have also been included. An asterisk has been placed against their names.

APPENDIX No 27—contd

No	Name	Designation	Qualification	Service on 1st July 1924	Removal
<i>Administrative Branch—Muz—contd</i>					
7	S P Iyde	Deputy Educational Inspector Kaira	B A (Bomb) M A I Ed (Col Univ)	1 5 10	
8	C D Datta	Head Master High School Ahmedabad	B A	27 11 22	
9	A C Bonga	Head Master Anglo Urdu High School Furlah	B A	11 0 19	
40	K N Parui	Deputy Educational Inspector Kaira	B A	21 0 19	
41	M I M K Soomro	Deputy Educational Inspector Multan Schools Sukkur Division	B A	17 8 9	
42	*Abdul Hal Abdul Shai h	Deputy Educational Inspector Upper Sind Frontier	Ma tricu late	19 2 21	
43	*A M Divanji	Do Broach	B A	26 11 4	
44	*Shai h Abdul Kader Ahmadi	Do Urdu Schools N D	Ma tricu late	33 2 23	
45	*A H Kher	Deputy Educational Inspector Kolaba	B A	24 0 0	
46	*I A K Ahmadi	Do Urdu Schools, Bombay	B A	22 10 20	
47	*N A Khaliq	Do do C D	B A	6 6 14	
48	*H L Lalwani	Deputy Educational Inspector Nawah shah	B A	20 6 27	
49	*M R Dabee	Do Urdu Schools S D	Ma tricu late	18 4 19	
50	B V Shah	Do Ahmedabad	B A	20 2 21	Doing duty as Dy Edol Insp, Kaira
51	M Hidayatulla	Head Master, Anglo Urdu High School Poona	B A	12 5 19	
52	*V S Toro	Deputy Educational Inspector for Visual Instruction	B A	10 0 17	

*As Deputy Educational Inspectors were technically in the Subordinate service prior to 1st April 1921, the names of those who were permanent before that date have also been included. An asterisk has been placed against their names.

APPENDIX No 27—contd

No	Name	Designation	Qualification	Service on 1st July 1924	Remarks
		Colleague List—Men		A M D	
53	G G Nailc	Professor of Chemistry & Geology College of Engineering	M A (Civil) B Sc Minn. (Min) M Sc Geology (Min)	0 0 21	
54	Monk P L (Chauhan)	Professor of French Gujarat College	B Sc (Literature) Super (Literature)	11 11 10	
55	K V Abhyankar	Professor of Sanskrit Gujarati College	M A	11 5 29	
56	C P Saldanha	Professor of Mathematics Karnatak College	M A	10 0 10	
57	Khan Sahib	Professor of Persian Karnatak College	M A	5 11 0	
58	A M Moulvi N B Mehta	Professor of Economic History and Administration Sydenham College of Commerce and Economics	M A (Econ) A M (Econ) U S A	5 0 12	On leave without pay
59	M G Shastri	Lecturer in Sanskrit, Deccan College	M A	21 2 24	
60	N G Mohale	Lecturer in Physics, Royal Institute of Science	M A, B Sc	10 5 29	
61	S G Deshpande	Lecturer in History and Political Economy Gujarati College	M A	11 2 27	
62	J S Commissariat	Lecturer in English and Political Economy, Gujarati College	M A I L B	8 5 22	
63	J J Asana	Lecturer in Zoology Gujarati College	M A	9 0 10	
64	J C P D'Andrade	Lecturer in Philosophy Elphinstone College	M A LL B	11 5 29	
65	M H Khare	Master in Engineering, College of Engineering	L C E	8 6 15	
66	S V Apte	Lecturer in Physics, College of Engineering	M A, B Sc	11 7 0	
67	S N Datar	Lecturer in Physics, Gujarati College	M A B Sc	7 0 1	

APPENDIX No 27—*concluded*

No.	Name	Designation	Qualifications	Service on 1st July 1924	Remarks
<i>Collegiate Branch — Men — contd</i>			Y M I		
68	S M Shah	Lecturer in Mathematics, Deccan College	M A	9 0 10	
69	V H Anuleywar	Lecturer in English, Secondary Training College	B A	17 1 9	
70	R L Ahmchan-dani	Lecturer in Chemistry	M Sc	6 0 11	
<i>Special Branch—Men</i>					
71	J G Mehta	Principal and Teacher of Textile Work, Technical Institute, Ahmedabad	L T M & 1st Class Mech Engg	7 0 12	
72	M V Dhumadhai	Teacher of Drawing, School of Art	2nd Class Art Dip	28 5 0	
73	A X Trindade	Superintendent Revy Art Workshops, School of Art	Do	26 4 18	
74	L N Tashar	Teacher of Normal Class, School of Art	Do	21 7 0	
<i>Administrative Branch — Women</i>					
75	Miss M I Wadia	1st Assistant Training College for Women, Poona	B A	16 5 9	
76	Miss K Laxton	Head Mistress, Anglo Vernacular Girls' School, Dhulewar	P E	16 4 12	
77	Miss H M Fielding	Assistant Lady Superintendent and Head Mistress of the Training College for Women and Girls' High School, Ahmedabad	Cambridge Higher Local Exam Teachers' Diploma	10 10 0	

APPENDIX No 28

BOMBAY PORT TRUST

Statement showing the new major works sanctioned by Government for the Bombay Port Trust during the last ten years

Work	Remarks
Oil Pier at Trombay with pipe line communication to Sewri	This work was undertaken as an urgent war measure to provide facilities for the discharge of petrol in bulk at this port. Wharfage charges on oils have been fixed taking capital expenditure on this scheme into account.
Lay out of the Ballard Estate	The work has not yet been completed, but most of the plots have been leased at very advantageous rates to the Port Trust.
New Cotton Depot at Mazagon	This Depot will be completed during the current year. The rentals of the godowns and jathas have been fixed to give an economic return on the capital expenditure.
Lay-out of the Wadala Reclamation	This work is not yet complete, but a few plots have been leased at good rentals.
Liquid fuel pipe lines for discharge and bunkering of vessels in docks	This work has been undertaken in view of the growing importance of oil fuel. Wharfage on liquid fuel has been fixed to cover the interest and sinking fund charges on the capital expenditure and other services.
New bunder for coal etc at Mazagon	These works are in progress.
New Manganese ore depot on the Mazagon Sewri Reclamation	
Lay-out of the Colaba Cotton Green and filling in Oliver's Folly and Arthur Basin	

Note—It is not possible to work out accurately the percentage return on the capital outlay of each individual work, as charges levied generally cover not only the expenses of the particular work but also the working expenses of the Port as a whole.

APPENDIX

Statement showing the number of dacoities committed in Bombay City

Year	Total No of dacoities	No of dacoities committed by			
		Pathans	Other than Pathans	Pathans and others to gether	Persons unknown
1921	9	2	7		
1922	17	5	12		
1923	14	4	7	3	
1924 (up to the end of May)	6	1	3		2

No 29

in the years 1921 1922, 1923 and up to the end of May 1924

No of victims of the dacoities						No of dacoities in which the perpetrators were		
Hindus	Mahomedans	Parsees	Indian Christians	Europeans	Tribes	Convicted	Discharged	Remain
12	1				5	3	2	
12	1		1	1	7	6	1	
17	2				9	7	2	*In one of these cases some of the accused were convicted while the others were discharged
5		1			1	1		

APPENDIX

Statement showing the number of dacoities committed in the Bombay

Year	Total No of dacoities	No of dacoities committed by		
		Pathans	Other than Pathans	Persons unknown
1921 1922, 1923 up to the end of May	12	2	5	5

No 29—contd

Suburban District in 1921, 1922 and 1923 up to the end of May

No of victims of dacoits			No of dacoities in which the perpetrators were		Remarks
Hindus	Mahomedans	Parsis	Arrested	Punished in a Court of Law	
9	1	2	25 ¹	14 ¹	* In 7 dacoities

APPENDIX No 30

Statement showing the area irrigated on Muhi Rao and the expenditure incurred on its maintenance and repairs

Year	Area irrigated			Area under		Expenditure on maintenance and repairs
	Kharif	Rabi	Total	Pucc	Cotton	
	Acres	Acres	Acres	Acres	Acres	R.
1908 09	102 061	8 190	111 151	69 769	15 140	60,106
1909 10	82 931	20 412	103 343	66 597	5,008	64 220
1910 11	93 954	19 114	113 068	70 714	13,205	61,513
1911 12	98 591	21 620	123 211	67 990	21 949	90 578
1912 13	107 570	13 89	121 468	66 150	22,250	61,910
1913 14	115 975	13 187	129 162	66 668	32 132	72 185
1914 15	108 003	23 409	131 502	61 451	31,033	49 714
1915 16	99 907	29 158	129 065	69 389	11,190	67 113
1916 17	104,032	23 337	127,369	55 091	24 959	59,277
1917 18	97 026	19 129	116 455	52 870	29,315	35,265
1918 19	101,216	5 163	106 379	48 986	40 992	1,02 913
1919 20	96 306	9 439	105 745	36 183	37 990	1 09 107
1920 21	89 573	652	90 205	38 010	35,374	1 11 751
1921 22	70 780	5 848	76 628	18 802	11,401	1 33 215
1922 23	88,259	9,510	97 769	30,182	33 677	1,45 238

APPENDIX No 31

Establishments

Collector of Thana

Reduction of nine posts of clerks on the
subordinate Revenue — and transfer
to District Local Board, Thana

GOVERNMENT OF BOMBAY

REVENUE DEPARTMENT

Resolution No 7935

Bombay Castle, 20th June 1925

Letter from the Collector of Thana No E S T 140 dated 13th
December 1922 —

" 3 The Local Board is willing to accept any clerks in the grade of Rs 30— $\frac{5}{2}$ —80 and even candidate. It appears that the Board will not be prepared to accept clerks on pay higher than that shown in paragraph 2 as thereby the sanctioned amount will be exceeded

' 4 None of the clerks now working as Local Board clerks are willing to have their services transferred to the Local Board as the Board is not prepared to pay pension contribution for the posts but intends to make Provident Fund arrangements. It is not therefore possible to select nine clerks either from the bottom of the permanent establishment list or from the bottom of the required stages in the grade of Rs 30— $\frac{5}{2}$ —80 and transfer them to the Local Board establishment against their will

" 5 It will thus be seen that the separation cannot be effected in the way suggested by the Accountant General in paragraph 1 of his letter to your address No Pen Con-6-3531 dated 25th February 1921. The question of the separation is thus rather difficult but it seems possible to adopt one of the following courses —

(1) To select nine men from the list most junior in service and order their transfer to the Local Board irrespective of their unwillingness under article 436 of the Civil Service Regulations

(2) To allow the District Local Board to fill up vacancies as they occur in the Revenue Establishment till they get the required number

(3) To suspend the liens of nine out of 13 clerks on deputation in the Bombay Development and Building sites department under Rule 13 of the Fundamental Rules

" 6 Out of the three courses suggested I am not in favour of the second one as it will take nearly three years to effect complete separation owing to retrenchment and I shall have no opportunity to strengthen my establishment during the period by employing graduates and qualified men who are now seeking employment. I therefore consider that the first course will be the most suitable. I have the honour to request you to issue orders whether the first course may be adopted "

Memorandum from the Commissioner, N D , No E S T—743 dated 17th April 1923 —

" Copy with a copy of the Accountant General, Bombay's No T A III-Thana-9-3852 dated 27th March 1923 submitted to Government with a request that in the circumstances reported by the Collector sanction may be accorded to the separation of the nine clerks from the Collector of Thana's Revenue establishment and to then transfer to the District Local Board, Thana, as suggested by the Collector in paragraph 5 (1) of his above letter. It is not possible to transfer the services of these nine clerks to the Board on Foreign Service conditions either under article 763 or article 805 of the Civil Service Regulations as the Board is not prepared to pay leave and pension contribution in respect of these clerks "

RESOLUTION —Sanction is accorded to the reduction of nine posts of clerks in the grade of Rs 30— $\frac{5}{2}$ —80 in the Subordinate Revenue Service

of the Thana District. The present incumbents should be given the option of transfer of their services to the District Local Board, Thana. They should be informed that if they refuse to accept the offer they will have no claim to pension or gratuity under article 136 of the Civil Service Regulations.

2. The Commissioner, Northern Division, should be requested to report whether in view of the abolition of the posts reduction cannot be effected in the next higher grade by bringing some posts down to the grade of Rs 30—5/2—80 in order to keep up the existing proportion.

By order of the Governor in Council,

A R DALAL,

Deputy Secretary to Government

To

The Commissioner N D,
The Collector of Thana,
The Accountant General
The General Department,
The Finance Department

APPENDIX No 33

*Statement showing the Pasture lands in charge of the Forest Department
in the Satara District*

Name of Range	Number of village	Acres under Forest proper in which cattle are allowed to graze on payment of fees	Amount of grazing fees received annually from Lands in (Column 3)	Remarks
		Acres	Rs	
Kwad	132	4,522	8,356	
Patan	147	105,063	3,295	
Dihwadi	89		3,676	
Sativa	259	91,295	15,262	
Koregaon				
Khatav	224	57,283	3,622	
Mahabaleshwar				
	551	297,163	6,211	

APPENDIX No 32 -contd

Statement showing the Pasture lands in charge of the Revenue Department in the Satara District

Name of Taluka	Number of villages	Area of pasture land wherein cattle are allowed to graze on payment of fees	Amount of grazing fees received annually from lands in column 3	Remarks
1	2	3	4	5
		A a	Rs a p	
Satara	15	571 37	1,644 12 0	
Wai	4	94 36	5 4 6	
Khatai	31	14,713 20	885 0 0	An aver
Tisgaon	22	15,395 17	1,385 10 6	age of
Waiya	10	3,129 0	235 15 0	the last 3
Khannapur	47	16,246 0	2,025 0 0	years is
Karad	9	1,153 2	90 0 0	given in
Man	72	46,963 23	1,953 5 8	some
				cases
				where the
				amount
				of graz-
				ing fees
				are not
				fixed
Joshi	Nil			
Koregaon	4	105 8	31 4 0	
Satan	1	199 39	10 0 0	
Shirala	9	66 3		
Mahabaleshwar	Nil			
Khandala	8	2,945 27	159 6 0	

APPENDIX

No	Name of the residential bungalows	Year in which it was acquired or built	Total cost of the bungalow including land and outhouses	Rent of the bungalow calculated on the basis of the usual percentage of its capital cost	Registered rent of the bungalow
			4	5	6
			Rs	R s p	P s p
1	Executive Engineer's bungalow and out-houses	Unknown	B 9 891 L 13,050	41 0 0	53 0 0
2	Bungalow for Assistant Collector of Salt and Licence	Purchased in 1915 1919	B 24 950 L 3,354	104 0 0	66 11 0
3	Mam Shahi Bagh	Unknown	B 55 141 L Nil	230 0 0	170 0 0
4	Chhoti Shahi Bagh	Do	B 19 424 L Nil	81 0 0	53 0 0
5	Collector's bungalow with outhouses	1912 13	B 33 653 L 47,760	140 0 0	140 4 0
6	Bungalow No 33 Camp	1913 14	B 5 457 L 19 634	22 0 0	38 0 0
7	Bungalow No 35 for the residence of the District Judge	Do	B 24 169 L 49 147	100 0 0	107 0 0
8	Bungalow No 17 for Telegraph Supdt Now used as residence of Civil Surgeon	1910 11	B 18 189 Cantonment land on lease	77 0 0	66 15 0
9	Bungalow No 1 A Camp	1923 24	B 34 091 L 29 040	364 0 0	Please see note (1)
10	Bungalow No 2 A Camp	Do	B 35,122 L 40 856	422 0 0	
11	Bungalow No 3 A Camp	Do	B 34 992 L 40 414	421 0 0	
12	Bungalow No 4 B	Do	B 27,258 L 31 460	327 0 0	
13	Bungalow No 5 B	Do	B 27 280 L 31 848	344 0 0	

Name and designation of the officer who was occupying the bungalow on the 1st July 1924	Salary of the officer occupying the bungalow	Rent (exclusive of rent in respect of sanitary and electric installation etc.), which the officer is paying	Difference between the rent as calculated on capital basis and the rent paid by the officer	Percentage loss on the officer's salary
7	8	9	10	11
	Rs a p	Rs a p	Rs a p	
Vacant, as the acting Ex Engr lives in the upper floor of the Gujarat Irrigation Ex Engr's bungalow vide item No 20	1,250 0 0		125 0 0	
Mr Joseph Dyas, Superintendent of Salt and Excise	480 0 0	46 0 0	58 0 0	12 6
Mr F G Pratt, Commissioner N D	3,500 0 0	170 0 0	60 0 0	1 7
Mr W L K Hirapath Superintendent of Police	1,000 0 0	53 0 0	28 0 0	2 8
Mr J H Garrett, Collector	2,350 0 0	140 4 0		
Mr J L Pinto, Assistant Dir of Public Health	933 5 0	38 0 0		
Mr E Clements, District Judge	2,650 0 0	107 0 0		
Mr N M Kamte Pto Asstt Supdt of Police	325 0 0	Rent not charged	77 0 0	23 7
Mr M D Bhat, Assistant Collr	700 0 0	70 0 0	294 0 0	42
Navabzada Sayad Alam Khan, Pro Deputy Collector	250 0 0	25 0 0	397 0 0	158 8
Mr K L Panjabi Supernumerary Asstt Collector	650 0 0	65 0 0	356 0 0	54 7
Mr W H Philips, Inspcr of Factories	550 0 0	55 0 0	272 0 0	49 4
Mr G R Barve, Asstt to the Commissioner, N D	500 0 0	50 0 0	294 0 0	58 8

APPENDIX

No	Name of the residential bungalows	Year in which it was acquired or built	Total cost of the bungalow including land and outhouses	Rent of the bungalow calculated on the basis of the usual percentage of its capital cost	Registered rent of the bungalow
1	2	3	4	5	6
14	Bungalow No 6 B	1923 24	B 26,900 L 13,310	235 0 0	} Please see note (1)
15	Bungalow No 7 A	Do	B 31,407 L 35,090	390 0 0	
16	Bungalow No 8 B	Do	B 27,386 L 29,040	316 0 0	
17	Bungalow No 9 B	Do	B 27,361 L 19,360	268 0 0	
18	P W D Subdts Bungalow, Camp	1900 01	5,428	22 9 0	22 9 0
19	Old Dhulia Kote Jail Buildings at Ahmed abad	Unknown	B 5,668 L 30,831	24 0 0	23 9 4
20	Bungalow for the Ex Engr, Gujarat Irrign Dist, upper floor occupied by Mr P S Chokshi, Acting Ex Engr Ahmedabad District	1913	B 6,152 L 13,974	28 0 0	26 0 0

Note (1) -- Rent statements for bungalows items 9 to 17 both inclusive, are yet

33—contd

Name and designation of the officer who was occupying the bungalow on the 1st July 1921	Salary of the officer occupying the bungalow	Rent (exclusive of rent in respect of sanitary and electric installation etc, which the officer is paying)	Difference between the rent as calculated on capital basis and the rent paid by the officer	Percentage loss on the officer's salary
7	8	9	10	11
	Rs a p	Rs a p	Rs a p	
Mr J R Allan Inspector of Boilers & Smoke Nuisance	660 0 0	66 0 0	169 0 0	25 6
Mr H M Willis, Assistant to the Collector	1,100 0 0	110 0 0	280 0 0	25 4
Mr A F Clarke, Dy Supdt of Police	400 0 0	40 0 0	276 0 0	69
Captain, F R Ommaney Pro D S P	550 0 0	Rent free	208 0 0	48 7
Mr S G Pandya, Assistant Engineer	370 0 0	22 9 0		
Mr B N Seal Pro Gujarat College	700 0 0	23 9 4		
Mr P S Chokshi LCE Ag Engr, Ahmedabad District	1,000 0 0	26 0 0		

to be sanctioned The registered rent has therefore not been filled in

APPENDIX No 34

Statement showing the details regarding Vethias or Vartamas in the Gujarat Districts, asked for in clauses (e) to (g) of the Question

Serial No	Name of Taluka	No of Vethias or Vartamas	Total remuneration	Cash remuneration received by Vethias or Vartamas	Remuneration received by Vethias or Vartamas in the form of the land revenue demand of lands in their possession
1	2	3	4	5	6
Ahmedabad District					
			Rs a p	Rs a p	Rs a p
1	North Daskroi	197	7,323 8 6	945 15 6	6,377 9 0
2	South Daskroi	131	8,474 10 4	1,285 7 4	7,189 3 0
3	Virangam	173	4,083 12 5	1,582 12 5	2,501 0 0
4	Prantij	219	5,042 13 1	213 12 6	4,829 0 7
5	Dhandhuka	39	1,526 9 10	556 5 10	970 4 0
6	Dholka	124	7,113 2 0	2,680 8 0	4,432 10 0
7	Sanand	60	2,186 14 0	696 0 0	1,470 14 0
8	Modasa	97	2,576 0 0	376 0 0	2,200 0 0
9	Gogho	9	272 4 0	216 0 0	56 4 0
	Total	1,049	38,579 10 2	8,552 13 7	30,026 12 7
Kaira District					
1	Mehmadabad	146	7,344 0 0	7,344 0 0	<i>Nil</i>
2	Matar	183	8,952 0 0	8,952 0 0	<i>Nil</i>
3	Kapadvanj	178	8,851 0 0	8,793 0 0	58 0 0
4	Nadiad	251	12,278 6 0	11,779 2 0	499 4 0
5	Anand	209	10,848 0 0	10,584 0 0	64 0 0
6	Boisar	270	12,035 7 6	10,090 6 6	1,945 1 0
7	Thasra	155	7,315 7 0	6,730 5 0	585 2 0
	Total	1,392	67,424 1 6	64,272 13 6	3,151 7 0
Panch Mahals District					
1	Godhra	320	3,308 12 0	1,793 10 0	1,515 2 0
2	Kalol	42	1,549 1 0	1,319 5 0	229 12 0
3	Halol	69	1,635 12 0	822 0 0	813 12 0
4	Dahad	96	1,759 6 0	431 0 0	1,328 6 0
5	Jhalod	80	1,359 11 3	308 3 3	1,051 8 0
	Total	607	9,612 10 3	4,674 2 3	4,938 8 0

APPENDIX No 31—*contd*

Serial No	Name of Individual	No of Vethias or Vairas	Total remuneration	Cash remuneration received by Vethias or Vairas	Remuneration received by Vethias or Vairas in the form of remission of the land revenue demand of lands in their possession
1		2	3	4	5
	<i>Broach District</i>		Rs a p	Rs a p	Rs a p
1	Jambusar	453	10 946 13 2	2,407 15 2	9 538 14 0
2	Amod	264	5,874 6 3	1 945 10 3	3,928 14 0
3	Wagra	338	5 455 12 0	1 641 15 0	3 810 13 0
4	Broach	450	8,991 11 8	3 172 3 8	5 919 8 0
5	Ankleshwar	294	5,119 14 11	2 522 10 11	2 597 4 0
6	Hansot	116	4,320 0 0	3,109 0 0	1,211 0 0
	Total	1,915	40,708 12 0	14,802 7 0	25 906 5 0
	<i>Surat District</i>				
1	Pardi	140	4 748 2 6	2 527 6 0	2 220 12 6
2	Chikh	166	4,339 3 0	1 019 9 0	3,319 10 0
3	Jalalpur	559	10,550 0 0	2 099 2 6	8,450 13 6
4	Bulsar	265	9,034 6 0	3,583 7 6	5,450 14 6
5	Valod	101	2,927 15 0	743 0 0	2 182 15 0
6	Olpad	248	7,840 10 10	2,983 1 5	4 857 9 5
7	Mandvi	179	5,910 14 0	1,175 12 0	4 735 2 0
8	Bardoli	239	8,132 8 0	1 744 7 3	6,388 0 9
9	Choras	78	2,808 0 0	962 14 0	1,845 2 0
	Total	1,975	56,291 11 4	18,840 11 8	39,450 15 8

APPENDIX No 35

Educational qualifications of Europeans and Anglo-Indians holding appointments of Rs 500 and over in the Bombay Port Trust

Education & qualifications	No of Officers	Educational qualifications	No of Officers
<i>General Education</i>		<i>Civil, Mechanical and Electrical Engineering—contd</i>	
B A (Cantab)	2	M I Mar F B O T 1st class and	
Public School (England)	15	B B A Certificate	1
B A (Bombay)	1	B O T 1st class and B B A	
Undergraduate (Bombay) and		Certificate	8
examination in advanced		B O T 1st class	13
accountancy and Book keeping		B O T 2nd class and B B A	
with distinction	1	Certificate	2
Matriculate	1	B O T 2nd class	5
Matriculate and School Final	1	Shipwright 1st class	1
Senior Cambridge	3	Technical College	5
Government High School and		Mechanical Engineering, Motor	
Entrance Examination Survey		Power	1
of India	1	Entrance Examination, Civil	
Matriculation Standard	11	Engineering College, Roorkee	1
Matriculation Standard and		Mechanical and Structural En	
professional education in Ac		gineering	1
countancy and Auditing, etc	1	Architectural Course H M's	
P A S I, M R S I	1	Dockyard and 2nd class	
Bengal Government Entrance		B O T Certificate for Naval	
Examination	1	Architecture	1
<i>Civil, Mechanical and Electrical</i>		Apprenticeship served in various	
<i>Engineering</i>		trades	4
M A, M A I, M Inst C E, M I		Professional Diver	1
Mech E	1		
M Inst C E	3		
M A, A M I C E (Mechanical		<i>Navigation</i>	
Science Tripos (Cambridge)	1		
B Sc (Hons) A M I C E	1	Master Mariner	22
M S A	1	1st class Inland Master's	
A M I C E	2	Certificate	1
A M I E E	1	B O T Certificate for Master	
M I Mech E	1	of Foreign going vessels	3
A M I Mech E, A M I E (India)		Signalmen	4
Extra 1st class, B O T 1st		Naval Apprenticeship	4
class and B B A Certificate	1		

”

APPENDIX No 36

”

APPENDIX

Assistant Surgeons

(a) Number of Assistant surgeons in the Bombay Provincial Service in		(b) Number of appointments held by		Number of temporary last three years (from and Sind respec	
Presidency proper	Sind	Sindhi Hindus	Sindhi Musalmans	Sindhis	Service put in
33	11	4	Nil	4	One had put in 6 years' service, one 5 years, one 4 years and one one and half years

N B—There are 10 Bombay Medical Service Officers

No 36

in Bombay Presidency

(c) hands discharged during the the Presidency propri- tively)		(d) Number of discharged hands taken back into Government service			
Non Sindhis	Service put in	Sindhis	Service put in	Non Sindhis	Service put in
13	One had put in 5 years service five 4 years, three 3 years, one 2 years and one 3 years	1	4 years	Vil	

in addition to the above number of appointments

APPENDIX

Statement showing establishment

Name of Department	Class of appointment gazetted or non gazetted	Grade	European	Hindus
1	2	3	4	5
	<i>Gazetted</i>			
P W Deptt	Chief Engineer	2 750—125—3 000	1	
	Superintending Engineers	1,750—100—2,150	3	1
	Executive Engineers and Assistant Executive Engineers	300—50—1,300	4	8
	Assistant Engineers	250—20—750	1	23
	Temporary Executive Engineers	800—50—1,700	2	
	Temporary Assistant Executive Engineers	550—50—900		1
	Temporary Assistant Engineers	310—20—750	4	1
Rev Deptt	Revenue Officer	Superior time scale p 2,250	1	
	Chitnis to the Revenue Officer	200—15—2—260		
		275—15—350		
	Land Acquisition Officer	Do		1
	Special Mukhtarkar for preparation of records in recess season	200—15—2—260		1
Audit Officer LB & CO	Audit Officer	Pay 1,750	1	
	Assistant Audit Officer	Pay 740		1
	Total (Gazetted)		17	50
	<i>Non Gazetted</i>			
P W Deptt	Upper Subordinate Permanent	100—12—460		19
	Upper Subordinate Temporary	126—12—510	1	24
	Lower Subordinate Permanent	60—5—150		7
	Lower Subordinate Temporary	80—5—200		78
	Special Senior Superintendent	600—50—700		1
	Senior Superintendent	350—25—500		
	Junior Superintendent	300—10—350		1
	Head clerks and Joint Assistants (Administrative Offices)	220—10—300		7
	Junior Assistants	150—5—200		6
	Head clerks to Executive Engineers and Senior clerks in Administrative Offices	130—5—180		17
	Other clerks	30—5/2—70 to 105—5—125		137
	Draftsman and Tracers			43
	Store keepers			12
	Clerk	105—5—140		
	Clerk	80—5—100		
Rev Deptt	Typist	70—5—80		
	Clerks	80		2
	Tapeders	50 Consolidated		1
	Head classifiers	100 to 130		1
	Clerks	80		2

No 37

employed on the Lloyd Barrage

Mahomedans	Other castes	Total	Sindhys	Non Sindhys	Remarks
6	7	8	9	10	11
		1		1	
	1	5		5	
	1	13	3	10	
	1	25	12	13	
		2		2	
	1	5	3	2	
4	2	21	7	14	
		1		1	
1		1	1		
		1	1		
		1	1		
		1		1	
		1		1	
5	6	78	28	50	
2		21	16	5	
5	2	32	4	28	
1		8	6	2	
31		109	35	74	
		1		1	
	1	1		1	
		1	1		
		7	6	1	
1		7	5	2	
		17	16	1	
35	8	180	138	42	
21	8	72	31	41	
2	1	15	10	5	
1		1	1		
1		1	1		
1		1	1		
		2	2		
3		4	4		
2		3	3		
4		6	6		

No 37—contd

Mahomedans	Other offices	Total	Sindhis	Non Sindhis	Remarks
6	7	8	9	10	11
1		2 1 3 30 2	1 5 2	2 1 2 25	Services of the Civil Surgeon Sukkur are being utilised as medical officer in connection with these works
111	20	528	294	233	
116	28	605	322	283	

APPENDIX No 38

*Statement showing the expenditure incurred on agricultural improvement
in the Ratnagiri District during the last ten years*

Year	Expenditure on the Ratnagiri Farm	Expenditure by the propaganda staff in the Rat nagiri District	Expenditure on account of Hy draulic experi ments based on the figures supplied by the Deputy Director	Total ex penditure
	Rs	Rs	Rs	Rs
1914 15	5,113	1,172		6 285
1915 16	5,898	1 687		7,585
1916 17	7,166	1,005		9 171
1917 18	7,088	1,336		8,421
1918 19	9,420	2,248	710	12,378
1919 20	10,591	2,525	710	13,826
1920 21	13,317	2,507	710	16,534
1921 22	15,167	4,382	710	20,259
1922 23	11,466	2,988	710	15,164
1923 24	11,805	4,017	707	16,529
Total	97 031	23 967	4 257	1 25 155

APPENDIX No 38A

APPENDIX

Bombay City

Name of Scheme	Original estimates	Estimates as (for land and work) revised from time to time	Final estimates (for land and works) as revised from time to time	Actual cost up to 31st December 1923	Balance of the estimated cost of completing the schemes
1	2	3	4	5	6
Bombay Scheme No 1 Back Bay Reclamation	Rs (b) 7 02 43,321	Nil	Rs (b) 7 02 43 321	Rs (a) 3 00,38 116	Rs (b) 4 02 05 205
Bombay Scheme No 2 Housing Naigaum (42 chawls)	(b) 61 10 460	(b) 61 18 440	(b) 64,27,978	(a) 41,73 751	(b) 10,31 224
Bombay Scheme No 3 Housing DeLisle Road (32 chawls)	(b) 53 46 000	(b) 56 46,227	(b) 59 44,590	(a) 46 33,540	(b) 13,11 050
Bombay Scheme No 4 East Colaba Reclamation	(a) 1 06 38,900	Nil	(a) 1 06,38 900	(a) 1 06 407	(a) 1,05,32,493
Bombay Scheme No 5 Housing Worli (168 chawls)	(b) 2 42 05 770	Nil	(b) (a) 2,42 05,770	(a) 61,70,271	(b) 1 80,35,490
*Bombay Scheme No 6 Clare Road	(b) and (a) 1 05,630	Nil	(b) and (a) 1,05,630	(b) 95 787	9,863
†Bombay Scheme No 7 Hornby Road	(b) 7,70 268	Nil	(b) 7 70 268	(a) 7,22 708	(a) 47,560

No 38A

Scheme

Time of commencement	Progress &c, work done up to 31st December 1923	Time when schemes are expected to be completed	Expected profit (plus) or loss (minus)	Remarks
7	9	9	10	11
January 1921	Plant for the scheme practically complete. Sea wall to R L 91 50 per cent complete. Filling in commenced. Storm drains 3 commenced.	1931	For the two reclamation schemes B 1 and B 4 + 2½ crows	(a) Exclusive of interest and establishment etc charges (b) Exclusive of interest but inclusive of establishment, etc charges (c) For works only (d) Inclusive of interest and establishment, etc charges
10 chawls in June 1921 and 23 in February 1923	2,160 tenements equivalent to 27 chawls were completed	December 1924	There will be no loss as the deficit resulting from the letting of rooms below economic rents is met from the cotton cess revenue allotted for Industrial Housing Scheme	
February 1922	2,320 rooms equivalent to 29 chawls were completed	June 1924	Do	
January 1924	Railway connection from Marine Lines Colaba Railway under construction	1931	See No B 1	
February 1922	4,800 rooms equivalent to 60 chawls were completed	December 1925	Same as No B 2	(a) This is for 163 chawls at Worli. The programme has been limited to 121 chawls
1921	New male work house at Agripada already completed	1925		* Under this scheme a new male work house has been constructed at Agripada. It is proposed to recoup the cost by the sale of the existing site of the work house at Clare Road
1921	Roads in the scheme have not so far been undertaken	1930	It is not in the public interest to supply figures for the valuable lands in these schemes but it is estimated that those schemes will pay for themselves with a fair interest on capital	† Under this scheme the Indo British Institution site at Hornby Road was purchased at Rs 722,188 and the cost is to be recouped from the sale of the land

APPENDIX

Name of Scheme	Original estimates	Estimates as (for land and works) revised from time to time	Final estimates (for land and works) as revised from time to time	Actual cost up to 31st December 1927	Balance of the estimated cost of completing the schemes
1	2	3	4	5	6
	Rs	Rs	Rs	Rs	Rs
	(a) and (c)	(a) and (c)	(a) and (c)	(a)	(a)
*Bombay Scheme No 8 (Muzban Road)	1 58 695	Nil	1 68,555	1,62 810	5,741
Bombay Scheme No 9 (Dadar District)	(a) 6 00 405	Nil	(d) 7,66,022	(a) 5 67,227	(d) 1,88 795
Bombay Scheme No 10 Housing Road				891 Scheme is held in abeyance and	
Bombay Scheme No 11 Housing Sewer (16 channels)	(b) 23 16 480	Nil	(b) 23 16 480	7 251 (for pullmi nary arrange ments)	(b) 23 00 220

No 38A- contd

Time of commencement	Progress & work done up to 31st December 1923	Time when schemes are expected to be completed	Expected profit (plus) or loss (minus)	Remarks
7	8	9	10	11
September 1922	New temporary P W D stores in the Charm Road gardens already completed	1920		* Under this scheme a new temporary P W D stores in the Charm Road gardens has been constructed and it is proposed to recoup the cost by the sale of the existing site of the stores at Murabba Road
1922	Roads in the scheme have not yet been under taken	1920		(a) Exclusive of interest and establishment etc charges
no estimates	have been framed			(b) Exclusive of interest but inclusive of establishment etc charges
February 1924	Nil	February 1926	Same as No 112	(c) For works only (d) Inclusive of interest and establishment, etc charges

APPENDIX

Suburban

Name of Scheme	Original estimates	Estimates (for land and works) revised from time to time	Final estimates (for land and works) as expected at present	Actual cost up to 31st December 1923 exclusive of interest and establishment charges	Balance of the estimated cost of completing the schemes
1	2	3	4	5	6
	Rs	Rs	Rs	Rs	Rs
Suburban Scheme No 1 Kaula Kinal	(a) 38 67 544	(b) 50 01 705	(b) 50 01 705	6 07 050	(b) 48 94 410
Suburban Scheme No 2 (Frombay North East)	(a) 21 50 000	Only a part of the scheme mentioned below has been under			
Suburban Scheme No 2 Tanneiy and Dye Works Area	(b) 21 75 200	Nil	(b) 21 75 250	8 00 800	(b) 11,08 150
Suburban Scheme No 3 (Frombay North West)	(a) 18 46 000	Only a part of the scheme mentioned below has been under			
Suburban Scheme No 3 Sector	(b) 10 00 408	Nil	(b) 15 00,408	9 07 458	(b) 6,91,950
Suburban Scheme No 4 Frombay West	(a) 28 18 000	Further estimates have not been framed as no works have			
Suburban Scheme No 5, Malavni	(a) 3,14 000	The scheme has been postponed indefinitely			
Suburban Scheme No 6 Danda	(a) 3,23,350	(b) 1,39,258	(b) 4 89 258	2 40,010	(b) 1,08 342
Suburban Scheme No 7 Khar Model Suburb	(a) 15 26 225	(b) 20,18,184	(b) 20 18 184	16 07,860	(b) 20,10,324
Suburban Scheme No 8 Bandra Chapel Road	(a) 2 45 197	(b) 2,41,170	(b) 2 41 179	1 80 100	(b) 58,020
Suburban Scheme No 9, Murzbanabad	No estimates have been prepared as the scheme is to be undertaken in the				

No 38A *contd**Schemes*

Time of commencement	Logistics &c, work done up to 31st December 1923	Time when schemes are expected to be completed	Expected profit (plus) or loss (minus)	Remarks
7	8	9	10	11
No works have yet been taken		under 6 years	Plus 8 26 07d	(a) Exclusive of interest and establishment etc, charges (b) Inclusive of interest and establishment etc, charges on the whole work (c) For land only, without interest and establishment, etc charges
taken at present				
1922	All the filling required in this area has been completed	2 years	Plus 68 20s	
taken at present				
1922	Five out of 21 roads in this sector have been completed	6 years	Plus 6 05 08d	
so far been undertaken in this scheme				
there has been	incurred			
1921	Work on roads is being just started	3 years	Plus 58 88d	
1922	The filling of the whole of Sector A and the construction of Station Road in it have been completed while in Sector B the roads have all been completed and the filling required in some low plots is in progress	5 years	Plus 5 12 85d	
1922	All roads, etc, in the scheme have been constructed	2 years	Plus 53,870	
event of the	owners agreeing to	finance it		

APPENDIX

Name of Scheme	Original estimates	Letimates (for land and works) revised from time to time	Final estimates (for land and works) as expected at present	Actual cost up to 31st December 1923 exclusive of interest and establishment charges	Balance of the estimated cost of completing the schemes
1	2	3	4	5	6
	Rs	Rs	Rs	Rs	Rs
Suburban Scheme No 10 Aerodrome at Gilbert Hill	8 11 240 (a)	15 91 000 (a)	Under preparation	0 11 011	In view of column 4 the information cannot be given at present
Suburban Scheme No 11 Rann of Juhu	12 200 (a)	Further estimates have not been prepared as no works have so far been undertaken the Scheme	Further estimates have not been prepared as no works have so far been undertaken the Scheme	(a) 0	
Suburban Scheme No 12 Suburban Trunk Roads	18 04 352 (a)	Nil	18 01 352 (a)	8 88 574	9 1 778 (a)
Suburban Scheme No 13 Salsette Drainage	30 00,000 (a)	Further estimates have not been prepared it is not intended to make a start with this scheme at present	Further estimates have not been prepared it is not intended to make a start with this scheme at present	27 180	
Suburban Scheme No 14, Moggia			This scheme has been dropped		
Suburban Scheme No 15 Ambornath Development Scheme	95 20 000 (a)	11,96,228 (a)	35 96,228 (a)	4,70 765	27 20 161 (a)
Suburban Scheme No 16 Shahu			Only a part of the scheme		as mentioned
Suburban Scheme No 16 Andhar Sector	22 18 791 (a)	22 04 588 (b)	53 94 590 (b)	1,10 708	22 80 832 (b)

No 38A—*contd*

Time of commencement	Progress & work done up to 31st December 1923	Time when schemes are expected to be completed	Expected profit (plus) or loss (minus)	Remarks
7	9	9	10	11
1910	Building of 1000 tons completed	Under investigation	In view of column 3 this information cannot be given at present	(Government have decided that further work on all suburban schemes should be stopped or postponed as far as possible until an effective demand for land arises. The figures in columns 9 and 10 are for the completion of the schemes according to the original programmes which assumed that they would be proceeded with without interruption)
<i>Vide</i> columns 3 and 4				(a) Exclusive of interest and establishment etc. charges (b) Inclusive of interest and establishment etc. charges on the whole work (c) For land only without interest and establishment etc. charges
1920	Widening and far macadamising the surface completed in the greater portion of the length of Jandra (Rhod bundel) Road in charge of the Development Department. Malad Malve Road has been completed and the reconstruction of the bridge is in progress. Kolwada Boila Road Section I has been completed.	5 years	The scheme being for improvement of communications it will not pay for itself. It is proposed to meet a part of the cost by a small charge per square yard on developed land in the schemes served by them. In the meantime the interest on the expenditure is being charged to the Rs 4 lakhs per annum set apart out of the cotton cess to cover losing schemes in the suburbs.	
<i>Vide</i> columns 3 and 4				
1921	Practically all land has been acquired and 20 per cent of the work has been completed.	10 years	Plus 1,88,006	
below is proposed to be undertaken				
Works have been taken	not yet been under	6 years	Plus 4,20,981	

APPENDIX

Name of Scheme	Original estimates	Estimates (for land and works) revised from time to time	Final estimates (for land and works) as expected at present	Actual cost up to 31st December 1928 exclusive of interest and establishment charges	Balance of the estimated cost of completing the schemes
1	2	3	4	5	6
	Rs.	Rs.	Rs.	Rs.	Rs.
Suburban Scheme No 17 Salsette Trombay Railway	88 58 547 (a)	<i>Nil</i>	88 58,542 (a)	30 71,380	37,84 162 (a)
Suburban Scheme No 18 Kiroli North	4 02 280 (a)	Only a part of the scheme mentioned below has been under			
Suburban Scheme No 16 Salsette Eastern Section	4 05 905 (b)	<i>Nil</i>	4 0 905 (b)	2 72 501	1 0 401 (b)
Suburban Scheme No 19 Salsette Water Supply	25 00 000 (a)	Further estimates have not been prepared		6 88,174	19 10 826 (a)
Suburban Scheme No 20 Khopoli *	2 72 865 (a)	<i>Nil</i>	2 72 865 (a)	2 68 179	1,646 (a)
Suburban Scheme No 21 Ambernath Water Supply	(a) 53 50 000 (a)	<i>Nil</i>	53 50 000 (a)	The above estimate is for a supply of 6 million gallons per day. Only has been undertaken at present	
	3 03 070 (a)	<i>Nil</i>	5 97 070 (a)	22 73 452	11,20 618
Suburban Scheme No 22, Kurla Trombay Railway	13 23 782	<i>Nil</i>	13 23 782	1 26 726	11,07,066
Suburban Scheme No 23 Ambernath Electric Supply	6 30,173 (a)	<i>Nil</i>	6,30,473 (a)	1 69 021	4,62,452 (a)

No 38A—*contd*

Time of commencement	Progress, i.e. work done up to 31st December 1923	Time when schemes are expected to be completed	Expected profit (<i>plus</i>) or loss (<i>minus</i>)	Remarks
7	8	9	10	11
1922	The greater portion of the fund required for the railway has been acquired and 15 per cent of the work has been completed	To be completed when required	The scheme will not be able to pay for itself for some years. It is intended to meet a part of the cost by a small charge per square yard on developed land in the scheme served by the railway. In the meantime the interest on the expenditure is being charged to the Rs 4 lakhs per annum set apart out of the cotton cess to cover losing schemes in the suburbs.	(a) Exclusive of interest and establishment etc charges (b) Inclusive of interest and establishment etc charges on the whole work (c) For land only without interest and establishment etc charges
taken at present				
1923	All roads etc in the scheme have been completed	2 years	<i>Plus</i> 7.558	
1920	Santa Cruz water supply completed. Also temporary water supply to Suburban Scheme Nos 2 and	Time for supply of water to the remaining areas cannot be fixed at present	The scheme will eventually be self supporting and expenditure will ultimately fall on the local authorities of the areas served	
* As the tail water at Khopoli is not likely to be utilised in the near future the accounts of the scheme have been closed and the expenditure written off against the 4 lakhs per annum set apart from the cotton cess to meet losing schemes in the suburbs				
a part of the	scheme was for 3 million gallons per day		mentioned below	
1921	60 per cent of the work has been completed	1925	The cost will be met by the proceeds of sale of water	
1923	Embankment completed	Cannot be fixed at present	<i>vide</i> remarks in this column against Suburban Scheme No 17	
1923	25 per cent of the work completed	1924	The cost will be met by proceeds of sale of electric current	

APPENDIX No 39

Circular

With a view to give effect to High Court Circular No 2132, dated 3rd August 1920, regarding the supply of Typed copies in all cases where certified copies of Judgments are given, the District Judge has bought on the instalment system eight type-writing machines for the use of the Section writers in this District, and in order to raise the money for paying the instalments he has obtained the High Court's sanction under Section 41 of the Bombay Civil Courts Act (XIV of 1869) for the levy of fees for English copies at a slightly enhanced rate

2 The District Judge is therefore pleased to direct that pending further orders, fees in the case of English copies applied for on or after 20th August 1921, shall be charged at one anna (instead of at nine pies) for every 25 words or a fraction thereof. Three-fourths of the fee thus collected during a month shall be distributed amongst the Section-writers in the manner mentioned in paragraph 3 (iv) Chapter XIII of the Manual of High Court Civil Circulars and the remaining one-fourth (which shall be called the type writer fund) shall be remitted to the Nazir District Court on or before the 5th of every month. The Nazir should keep account of this fund and should arrange to pay from it the monthly instalments to the owners of the machines as well as the cost of purchasing the necessary type writer accessories for these machines

3 Out of these eight machines three are allotted to the District Court, two to the First Class Sub Judge's Court and one to each of the Courts at Baramati Khed and Junnar

4 As the work of preparing English copies is very little in the Courts at Vadgaon, Talegaon, and Saswad, it is not possible to supply these Courts with machines at present. The District Judge is therefore pleased to direct that all applications for English copies received in these Courts on and after 20th August 1921 shall after they are entered in the proper register be forwarded to the District Court together with the original documents of which copies are applied for, and that the Record Keeper in the District Court shall cause the copies to be prepared by the Section-writers under him, and then transmit those copies with the copying fee endorsed thereon together with the applications for the same to the Courts concerned. The fees for such copies shall be collected by the Courts in which applications for the same are presented, and shall be sent to the Record Keeper District Court, who should arrange to dispose of the same in the manner indicated in paragraph 2 of this Circular

5 The owners of the machines have undertaken to send a competent instructor to teach the "use and care" of the machines to the operators in the District Court. The Sub-Judges of Poona, Baramati, Khed and Junnar are therefore requested to at once depute the English Section

writers from then Courts to Poona to receive the necessary instructions and to take delivery of the machines

Poona District Court,
17th August 1921

(Signed) G D FRENCH,
District Judge Poona

No 1065 of 1921
Poona District Court
17th August 1921

Copy forwarded for information and guidance
(By order)

(Signed) R R SANE,
Registrar

To

The F C Sub-Judge and the Additional Sub-Judges Poona
The Sub-Judge, Saswad
The Sub-Judge Junnar
The Nazir, District Court, Poona
The Sub-Judge of Vadgaon
The Sub-Judge of Talegaon
The Sub-Judge of Khed
The Sub-Judge of Baramati
The Record Keeper, District Court, Poona

Rules for the preparation of paper books in Civil Appeals

1 As soon as notice in a Civil Appeal is served on a Respondent copies should be made by Sectioners of—

- 1 The Roznama (when recorded in English)
- 2 The Judgment
- 3 The depositions recorded in English by the Subordinate Judge

2 There shall also be prepared two lists of documentary evidence filed on either side in the following form —

List of documents filed by Plaintiff/Defendant

Exhibit	Date	Names of parties	Contents

Note —This should be as brief as possible, e g

Exhibit 63 1st June 1899—

By Tukaram Bapu
Shivlingappa Rayappa

Sale deed of S N 69 in village
of Uchgaon Rs 350 —

3 The above copies and lists should be typewritten and in triplicate or more according to the number of pleaders engaged by separate parties

4 These copies should be uncertified and a charge of 3 annas per folio (half sheet) should be levied from either party

5 The papers should be bound in a paper book in the following order —

- 1 Roznama
- 2 Judgment
- 3 Deposition
- 4 List of documents

Nos 1, 2 and 3 should be paged and every fifth line should be numbered

6 As soon as the paper books are ready one copy each should be given to the parties' Pleadors on payment of the charges as above. One copy is for the use of the Judge and should be placed before him when the Appeal comes on for hearing

7 The District Judge has discretion to vary the rate chargeable under Rule 4 to provide reasonable remuneration for the Sectioners and to meet the expenses of the purchase and repairation, etc., of the Type-writers

8 The Record Keeper is appointed to be Superintendent of copies. It will be his duty, under the general control of the Shrivastadar, to see that the paper books are correctly and promptly prepared, and that the lists of documents are accurate and intelligible

9 One-fourth of the fees collected should be set apart as "Type-writer Fund" to meet the costs of purchasing separate Type writers for this purpose and of maintaining or renewing the same

10 A separate account of the fees to be kept by the Nazir to whom the Record Keeper will send the fees collected every month

11 A comparing fee of 3 pies per folio to be given to the Sectioners for comparing copies and 3 pies per half sheet of paper to be charged to the parties as that will be the least average cost of papers

(Signed) C M JHAVERI,
Registrar

5th January 1922

(Signed) G D FRENCH,
District Judge

6th January 1922

APPENDIX No 40

*Last showing names of land-owners in Town Planning Scheme
No IV of Santa Cruz*

- 1 Mr V De P Rebere
- 2 The Catholic Housing Society
- 3 Mr Cyprian De'Souza
- 4 Mr S M De'Souza
- 5 Mr A X Nazareth
- 6 Mr E D Mendenea
- 7 Mr V F X Soares
- 8 Mr Sabino Velloso
- 9 Mr J A Var
- 10 Mrs M C Pinto
- 11 Mrs L Leeks
- 12 Mr J X Soares
- 13 Mr Emil Piers
- 14 Mr J F Miranda
- 15 Mrs D F Menezies
- 16 Mr Espinosa D'Souza
- 17 Mr C D Pinto
- 18 Capt C Raymond
- 19 Mr J A Roberto
- 20 Mrs Mary Evelyn Perena
- 21 Mr S B Decruz
- 22 Mr E N Da V Menezes
- 23 Mr C Var
- 24 Mr P A Gonsalves
- 25 Mr L C D'Silva
- 26 Mr A Fernandes
- 27 Mr F Saldhana
- 28 Dr J A Collaco and Mrs E R Collaco
- 29 Mrs M J DeSouza
- 30 Mr W Cooper
- 31 Mr Joseph Selwyn
- 32 Mr F Selwyn
- 33 Mr F X Pereira
- 34 Dr Cosmos Fernandes
- 35 Mr A F Barney
- 36 Mr A C D'Souza
- 37 Mr F Silva
- 38 Mr X Moraes
- 39 Mr Ramdas Kalyandas
- 40 Mrs Monbai Gokuldas K
- 41 Mr Kanji Malji
- 42 Mr Prabhaskar Motiram
- 43 Mr Vithalji Jethabhoy
- 44 Mr Jamnadas Morari

- 45 Mr Hormasy Dorabji Gazdar
- 46 Mr G B Trivedi
- 47 Mr Premchand Tribhuwandas
- 48 Mr Rustomji Ardesar Mukadam
- 49 Mr Kishorchand Manekchand Bhanji
- 50 Dr Bapuji B Naraiwalla
- 51 Mr Kaikhushru Dossabhoy Randela
- 52 Mr Adarji Jamshetji Panthaki
- 53 Mr Manikji Sorabji Kapadia
- 54 Mr Allen Frank
- 55 Mr Jaffer Kasam Musa
- 56 Bai Fatmabai Jaffer Adarji Karachiwalla
- 57 Mr Abdulkadar Husseinalli and Mr Mohamed Hussein
- 58 Bai Laxmibai Harischandra Kirtikar
- 59 Mr Karamalli Mohamed Hussein
- 60 Bai Lilawantibai Manilal Ichharam

APPENDIX No 41

APPENDIX

*Statement showing approximate expenditure on reduction of karia heads
Distributaries of Mathrao Canal*

Name of the Dis- tributary	1916 17			1917 18			1918 19			1919 20		
	Reduction of karia heads	Construction of profiles	Silt clearance	Reduction of karia heads	Construction of profiles	Silt clearance	Reduction of karia heads	Construction of profiles	Silt clearance	Reduction of karia heads	Construction of profiles	Silt clearance
30th Mile Left Bank Distribu- tary				Rs 2,491								Ls 130
45th Mile Left Bank Distribu- tary								1,344				

No 41

construction of profiles and salt clearance on 30th and 45th miles Left Bank since their construction

1920 21			1921 22			1922 23			1923 24		
Reduction of larva heads	Construction of profiles	Salt clearance	Reduction of larva heads	Construction of profiles	Salt clearance	Reduction of larva heads	Construction of profiles	Salt clearance	Reduction of larva heads	Construction of profiles	Salt clearance
					R ₆				R ₇		R ₈
					1 670				633		117
		2,170			2,112			2,000	745		

APPENDIX

LAKE WHITING

Statement of the yields of crops for the few typical lands and other details

Name of Village	Name of the owner or his neighbour	Survey No	Area	Yield of crops from					
				Ambe Mo hoi Rice		Wungul Rice			
			A	B	Kh	Md	Kh	Md	
Mashivili (G)	Gynba Gopala	24	1	12			1	10	
	Mahru (Gynba Gopala)	21	0	7	0	10			
Jogawadi	Mainu Bhau (Shan karao Deshmukh)	29	0	11	0	11			
Do	Do do	28	1	30					
Majaron	Bala Mahadu Padmal		0	20	0	12			
	Do do		1	0					
Brahmanghu	Niray in Balwant Dhor	61	0	38	1	10			
Do	Do do		0	10			0	7	
Do	Do do	61	3	30					
Do	Hari Bhagari		0	20					
Narhi	Vishnu Ganu		0	38	1	0			
Do	Genu Bahru		0	32			0	16	
Do	Vishnu Khundu		1	20					
Do	Do		1	0					

No 43—contd

DISTRICT

given by the several villages in the Panchas visited the villages concerned

the acre in Khandi and Maund			Cost of land in Rupees	Remarks
2nd crop Dusota	Bajari Agricult	Nigali Survey		
Kh Md	Kh Md	Kh Md	Rs	
0 10			1 000	Varlas ' changed into gadi since five or six years The tal required Rs 1,600 for construction
			1 000	"Dusota" cannot be had owing to too much water
			1 000	Varlas ' changed into gadi since eight years Rs 400 were required to pre- pare the land
	0 17	1 5	2 000	Aged or Nigali or ground nut can be grown
0 1			1,000	Rs 400 were required to make the lands
	0 12		3 000	Ground nut can also be grown
			2 000	Varlas changed into gadi since twelve years Dusota nil
			500	Do do do
		1 10	1,000	Rs 1,500 required to construct the tal for the land of the Survey No 61
	0 11		1,500	Rs 300 were required to prepare the land
0 3			2,000	
0 2			1,200	
	0 12		1,500	
		0 12	800	

(Sd) V N GODBOLE,
Assistant Engineer, 25th April 1924

(Sd) G G MALSHÉ,
Upper Subordinate, 25th April 1924

APPENDIX No 43—*contd*

Translation of the Note given in Vernacular by the two Panchas of the people in the Velvand Valley

In pursuance of the orders of the Government that two Panchas of the people and two Representatives on behalf of Government should inspect crops in typical cases of lands in the Velvand valley and make estimate of their yields and should give their opinion of the same to the Land Acquisition Officer, a meeting of the Panchas was held on 22nd April 1924 at Bhatgar, in which it was decided to inspect lands of two or three kinds in each village in the five villages named below and lands were accordingly inspected in the villages of Mhashivah, Jorad, Jogwadi, Majgaon, Brahmanghar and Naihe. The information of the same and the opinion of the representatives of the people is communicated to the Land Acquisition Officer as follows —

(At the time of inspection of these lands, Meherban Godbole and Mhalshe, representatives of Government, Messrs Potnis and Shete, representatives of the people, and Mr Awati, Land Acquisition Officer, principal men of the villages and surrounding villages were present at each village.)

Information given by the people

Lands in the three villages of Mhashivah, Jorad, Jogwadi and Majgaon were inspected on 23rd April 1924. The people of these villages gave the following information

Mhashivah, Survey No 24, 1 acre 12 gunthas, Mahadevachi Khachar — This being newly formed rice land, one khandi and half Varangal rice is produced. This year in this *Khachar* (piece of rice land) was produced *Tur*, 10 maunds, and Sava 12 maunds. As there was not sufficient rice seedling these crops were raised instead of rice. The assessment on this land is 10 annas. To turn this land into new rice land an embankment had to be built at an expense of Rs 1,000. This information was given by Genu Gopala Gorad Patil. This was corroborated by Tukaram Raoji Dhor Deshmukh, and the valuation of this piece of land was told to be Rs 3,000.

Mhashivah, Survey No 21, 0 acre 7½ gunthas — Mharaki Genu Gopala Gorad informed that 10 maunds of Ambemohor rice is produced in this field. Assessment is not known. This was corroborated by Mahadu Sakharam of Tale Mhashivah. The piece of land was said to be Rs 1,000.

Jogwadi — *Survey No 29* belongs to Maruti Bhau Dhor. This 0 acre 11 gunthas. Assessment 4 annas. This is newly rice made land since 8 years. Rs 400 were spent to build an embankment. The land cannot be valued, so said Shankarrao Raoji Dhor Deshmukh. Keshavrao Ganaba Dhor Deshmukh when questioned, said that he would pay Rs 1,000 for this land. No sound crop is grown in this land.

Jogawadi Survey No 29—1 acre 30 gunthas, assessment 0 4-0 In this land crops of Nachani, Argad, Pavata, groundnut are produced There is water available by channel from the hills 1 khandi 4 maunds of Nachani or 5 khandis of groundnuts or 18 maunds of Argad with 400 bushels of fodder and two maunds of Chavali are produced The land cannot be valued, such was the information given by Shankarrao Deshmukh Govindrao Deshmukh said that money-lenders do not dare to advance money for Warkas land, Rambhau Mahipatrao Deshmukh said he would give willingly Rs 2,000 for this land as price

Majgaon—Rice Ambemohor newly formed belonging to one Nana Mahadu Padval In this piece of land 12 maunds of Ambemohor and four maunds of wheat and gram as second crop are grown Assessment is Rs 1-8-0, Bala Mahadu Padval said he would give Rs 1,000 for this land Rs 800 were spent to construct an embankment It was told this land must be 20 gunthas (but it must be much less than that) *Majgaon, Warkas land*, 1 acre 0 guntha Bala Mahadu Padval said 12 maunds of Javari or Bajri or two khandis of groundnuts are grown in this land He would purchase such land for Rs 2,000

On 24th April 1924 lands at Brahmanghar and Narhe were inspected

Brahmanghar Warkas—20 gunthas, assessment 0 1-9

Janavicha Purtha—Hari Bhagaji Dhor informed that Udid, Pavata Javari, groundnuts are produced in the land, 11 maunds of Javari or two khandis of groundnuts are produced I will pay for this land Rs 1,500 or Rs 1,725 in cash

Brahmanghar, Survey No 61, Choli—0 acre 38 gunthas Ambemohor new rice land Narayan Balwant Dhor Deshmukh informed that 33 maunds of rice were produced in this land in the last but one year, 30 maunds in the last year Assessment is Re 1 for five acres of land out of this, seven maunds of rice are produced in $\frac{1}{2}$ acre of this In the above-mentioned piece of 38 gunthas, 14 maunds of wheat or Satu are produced as second crop In the remaining Warkas land $1\frac{1}{2}$ khandi of Nachani or Argad is produced I will pay Rs 1,000 for rice land of 38 gunthas and Rs 1,000 for the remaining Warkas land This was corroborated by Hari Bhagaji Deshmukh

Narhe, Adache Thal—Old rice landowners Vishnu Ganu and Bayaji Mahadu Vir 0 acre 38 gunthas, one khandi Rice and four maunds of wheat or gram as a second crop are produced in this land Assessment is Rs 2 The price of this land is Rs 2,000

In another piece of land measuring 32 gunthas, 16 maunds of Varangal rice and four maunds of gram are produced The price is Rs 1,500 In one acre of Jirayat land 12 maunds of Javari and 700 bundles of fodder and other second crops are produced Price Rs 1,500 If required sale deeds will be produced

In Warkas land of one acre, 18 maunds of Nachani and four maunds of Pavata are produced In worst land of Warkas, 12 maunds of Nachani and three maunds of Pavata are produced Price of such land is Rs 900

Expenditure requires to be incurred for Tools We will consent to price that will be settled by the Panchas Such was the information given by Dadu Patil and Kalba Patil

This information is submitted as given by the people There being no crops standing on the lands, there are no means to verify these figures by taking actual tests The areas of the lands inspected are not actually measured

Opinion of the representatives of the people—We the two representatives of the people are travelling in this part of the valley—nay—in the whole Bhor State for the last two three years and we two have experience of agriculture at home We have also seen crops here from time to time We have therefore formed the following opinion regarding crops in valley

The lands and crops will have to be classified as follows —

Classification of land and crops

Class I—Ambemohor rice land The Divisions—

(1) Newly made and (2) Old

We think that in the newly rice land from $1\frac{1}{2}$ to $1\frac{1}{2}$ khandis of rice is produced in one acre of lands In a best year even two khandis of rice are produced In a famine year, Javari is produced In such a year they derive immense profit from fodder Besides in this new rice lands, Wheat, Gram, Satu, Watana, Masuri are produced as second crop Five maunds to 10 maunds are produced in one acre Besides 150 bundles of rice fodder are available

In the old rice lands we think one khandi to $1\frac{1}{4}$ khandi of rice of Ambemohor is produced in one acre In a good year even $1\frac{1}{2}$ khandi is produced Besides rice fodder to the extent of 150 bundles is obtained Also Wheat, Gram, Satu, Watana, Masura are produced from 6 to 11 maunds per acre In a famine year Javari is produced in this land

Class II—*Varangul rice*—This may be divided into two classes—Newly made and old In this land rice is produced two or four maunds more than Ambemohor Rice fodder is the same as in Ambemohor In a famine year, Javari is produced In this land Wheat, Gram and Satu are produced as second crops to the same extent as Ambemohor lands

Class III—*Jirayat*—This may be divided into classes one wheat Jirayat and Mavah Jirayat In wheat Jirayat lands, Javari, Wheat, Bajari, Akgad, Tur, Chavali, Udid, Gram are produced If crops are good from 10 to 15 maunds of Javari and from 500 to 800 bundles of fodder and from two to 8 maunds of Chavali, Udid, Tur are produced in one acre of land In an ordinary year from 8 to 10 maunds of Javari and 300 bundles of fodder and 5 maunds of Udid or Tur are produced If groundnut is sown from 3 to 5 khandis of groundnuts are available In this Wheat Jirayat land, Shravanu Ghevada, Udid, Chavali are first produced and again Javari is sown, but this Javari crop is less If the season is favourable, and if the rains permit manuring, the second crop is bumper In the

second sort of land namely in Maval Jirayat land, Aigod Nachani Pavata groundnut, Udid Chavah, Tur are produced to the same extent as in wheat Jirayat land. In Maval Jirayat lands, Javari and Wheat are not produced. But Aigod and Nilva are grown excellently. Fodder is also obtained in ample quantities.

Class IV—Warkas—In this land no other crop than Nachani, Wari, Sava, Kothali, Til are produced. It is not cultivable every year. Such land is on slope of the hills. In this land, Nachani is produced in the first year, Wari, Sava, Kothali in the second year and Til in the third year. After than three years the land has to be left fallow for two or three years. In some excellent lands, even fallow for one year is sufficient. If the harvest season is favourable, 15 maunds of Nachani in one acre in the first year, in an ordinary season, from ten to twelve maunds of Nachani are produced. In the second and third years, $\frac{3}{4}$ of the quantity of crops available in the first year is produced.

Class V—Grass land—This land is kept for cattle to graze or for reserving grass to cut. In this land income is derived by selling grass or by grazing cattle. If grass is reserved, from 2,500 to 3,000 bundles of grass is available in one acre of land.

Class VI—Pot-Kharab—This includes stoney, rocky land in Survey Nos. which are only used for village sites, cattle sheds, farm yards, or threshing floors. In this land good stones are available for constructing embankment, houses, etc.

Class VII—Paradi—These lands adjoin houses. In these lands vegetables such as Kakadi, Bhopala, Chulies, Ratali, Padval, Karli, Dhodake, Maize, Rajira are grown, also bamboo trees are produced. The area of such Paradi lands extends from 2 to 3 gunthas. The lands are equal in value to good garden lands.

The lands in the valley area thus divided into seven classes. We have our opinion regarding yields of crops from each of them. We are firmly of opinion that people should receive compensation for these lands and we think that people will be put to immense loss.

If the estimates of yields we have given above for each class requires to be verified actually, the crops may be inspected and the yields verified next year through Panchas.

Lands in each village should be classified as mentioned above by us through Panchas, and the classification of each Survey No. should be notified in each village so that people will have opportunity to put in their complaints if they have any. The reason for this suggestion is that Genu Patil of Gorad Mhashivali complained to the people that his land though rice land has been classed as Warkas land. There are several complaints of this sort.

In the same way rates of compensation for land for each class as suggested by us should be first notified to the people. Those who will not consent to receive compensation at the notified rates, they should be given compensation at rates which the Panchas will determine. The people of

Brahmanghar and Jogawadi wanted compensation after inspection of their houses and settlement of valuation by Panchas. But the Government Panchas declined to do this as they said it was beyond their jurisdiction. We therefore think that those who wish that their houses should be valued by Panchas should be given compensation according to Panch valuation.

We also think that the Panchas should fix yields of trees and people should receive compensation according to their yields.

We the two representatives of Panchas record our opinion as above
Dated 26th April 1924

(Signed) Gopinath Balkrishna Potnis,
Invaldar, 26th April 1924

(Signed) Dhondo Amulhao Shete, Patil,
26th April 1924

Panchas on behalf of people Velvand Valley

(True translation)

(Signed) G. R. AWATI,
Special Land Acquisition Officer,
Lake Whiting District
28th April 1924

APPENDIX 43 -A

List of newspapers and periodicals in the Bombay Presidency supplied with Press Notes, Bombay Government Gazette and Selected Administration Reports of the Government of Bombay

- 1 Times of India, Bombay
- 2 Bombay Chronicle, Bombay
- 3 Advocate of India, Bombay
- 4 Daily Gazette, Karachi
- 5 Indian Daily Mail, Bombay
- 6 Indian Social Reformer, Bombay
- 7 Mahratta, Poona
- 8 Servant of India, Poona
- 9 Sind Observer, Karachi
- 10 Voice of India, Bombay
- 11 Young India, Ahmedabad
- 12 Gujarat Mitra, Surat
- 13 Gujarat Punch, Ahmedabad
- 14 Hindustan, Bombay
- 15 Jam-e-Jamshed, Bombay
- 16 Kasi-e-Hind Bombay
- 17 Kathiawar Opinion, Rajkot
- 18 Parsi Sansar and Loka Sevak, Karachi
- 19 Praja Bandhu, Ahmedabad
- 20 Praja Mitra and Parsi, Bombay
- 21 Rast Goftar and Praja Mitra Bombay
- 22 Sanj Vaitaman, Bombay
- 23 Karnatak Times, Dharwar
- 24 Vibhakar, Belgaum
- 25 Dnyanodaya, Poona
- 26 O Anglo-Lusitano Bombay
- 27 Akhbar e Islam, Bombay
- 28 Bombay Samachar, Bombay
- 29 Deshi Mitra, Surat
- 30 Navjivan, Ahmedabad
- 31 Saurashtra, Ranpur
- 32 Shri Venkateshwar Samachar, Bombay
- 33 Karnatak Vaibhav, Bijapur
- 34 Dnyan Prakash, Poona
- 35 Indu Prakash, Bombay
- 36 Jagaruk, Poona
- 37 Kesari, Poona
- 38 Lokamanya, Bombay
- 39 Lokasangraha, Poona
- 40 Sandesh, Bombay
- 41 Rashtra Vu, Belgaum
- 42 Satya Shodhak, Ratnagiri
- 43 Swarajya, Poona

APPENDIX 43-A—*contd*

- 44 Vjyvc Maratha, Poona
- 45 Muslim Herald Bombay
- 46 Gujarati, Bombay

*List of newspapers in the Bombay Presidency supplied with the
Sind Official Gazette*

- 1 The Pusi Sunsi, Karachi
- 2 The Sind Sudhar, Karachi
- 3 The Sind vasi, Hyderabad
- 4 The Alhaq, Sukkur
- 5 The Sind Zamindar Sukkur

APPENDIX No 44

Statement of purchases made in England by the Bombay Port Trust during the year 1923 24

Name of article	Name of supplier	Cost
		£ s d
Chain cable stud link 1	Thomas Perrins	83 8 11
Steelwire measuring lines	R S Newall & Son Ltd	79 7 0
Short link crane chains 1½ and 1½ dia	Thomas Perrins	223 19 2
Vaporising tubes	Balthaz Benard Turenne Paris	70 8 9
Collodion mantles	Chance Bros Co Ltd	64 5 0
1 Wick and 2 Wick Douglas's Chimneys	Chance Bros Co, Ltd	54 17 6
Larch planking 1"	R Moiley & Co	55 8 0
C S Wheels	Hadfield, Ltd	176 1 0
Jerseys and sweaters	Harrods Ltd	213 5 4
Wicks for lighthouse	Chance Bros Co, Ltd	56 15 0
Greenheart timber	Miller's Timber & Trading Co	739 15 9
Greenheart timber	David Robertson & Co	588 17 6
Chains 1 ½" dia and iron bars 1½ dia	Thomas Perrins	222 2 3
Minor items (under £ 50)		217 13 9
<i>Payments in connection with Dredging Plant</i>		Rs a p
Dredger 'Priestman'	Priestman Bros Ltd	1,70 059 15 0
Hopper Barge 'Pustard'	Lobnitz & Co	1,44 680 12 4
Dredger "Barbus"	Wm Simons & Co	11 09 896 5 0
Hopper Barge 'Redshani'	Lobnitz & Co	2,72 646 1 4
Hopper Barge "Widgeon"	Lobnitz & Co	3 46 979 3 4
Dredger "Chelura"	Wm Simons & Co	3,40,470 8 0
Hopper Barge "Spotbill"	Lobnitz & Co	1,03,086 2 0
<i>Payments in connection with Locos and Wagons</i>		Rs a p
Locos	Vulcan Foundry Co, Ltd	3,962 1 0
Wagons	Craven Railway Carriage and Wagon Co P & W McClellan & Co, Ltd	2,05,691 12 0
<i>Special Plant</i>		Rs a p
2 Screwing machines	Buck and Hickman	1,782 12 0
Grouting machines	Side Groove Steel Piling Supply Co, Ltd	1,725 0 0
Points and crossings	Kilmarnock Engineering Co	1,771 7 0
Steel sleepers and rails	Francis Theakston, Ltd	16,425 0 0
Portable S Pumping Fire Engine	Merewether & Sons, Ltd	4,099 0 0
40 side Tip Wagons	Light Railway, Ltd	7,096 14 0
Other minor items		6,604 12 0

APPENDIX No 14—*contd*

Name of article	Name of supplier	Cost
<i>Miscellaneous stores</i>		<i>Rs a p</i>
Portland Cement	Aburthaw & Bristol Channel Cement Co	30,877 13 0
Steelwork for workshops	Redpath Brown & Co	52,650 0 0
Bon Accord Centrifugal pumps	Drysdale & Co	19,246 12 0
Chains for dredging plant	Thos Pearns & Sons	18,936 7 0
5 Ton Hand Travelling Crane	Samuel Lutler & Co	6,923 14 0
Chains for valve gear	Thos Pearn & Sons	9 094 10 0
5 Ton Steam Travelling Crane	Cowan Sheldon & Co	13,219 11 0
Hoisting engine	Clark Chapman & Co	14,911 0 0
Other miscellaneous stores		88,309 2 0

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APPENDIX No 15

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List of officers engaged in the Development Department

Name of officer	Monthly pay	Nationality	Designation	Qualification
	Rs.			
1. Mr Jawahar Lal Dhar	6 000	British	Director of Development	I L (Ind)
2. Mr J. A. Martin C.I.T. (S)	1 000	Do	Secretary to Government Development Department Deputy Director of Development and Commissioner Bombay Suburban Division	I C S
3. Mr H. St. C. Smith	1 500	Anglo Indian	Deputy Secretary to Government Development Department Secretary to the Development Directorate and Assistant Commissioner Bombay Suburban Division	P C S
			<i>Reclamation Branch</i>	
4. Mr H. A. Elcock	1 000	British	Acting Chief Engineer Reclamation Branch vice Mr L. W. Lewis C.I.T. on leave preparatory to retirement	M.T.C.I. 14 years experience on dock and harbour works
5. Mr G. M. O'Rourke C.I.L. M.B.I.	2 000	Do	Deputy Chief Engineer Reclamation Branch Marine Lines and Quarry Section	B.A.I. & M.T.C.I.
6. Mr I. Billinton	2 000	Do	Deputy Chief Engineer Reclamation Branch Colaba Section	
7. Mr C. R. Brims	3 000	Do	Deputy Chief Engineer, Dredging Section	Has general experience in harbour and other marine works has for some years specialised in dredging and admiralty work at Rosyth and elsewhere
8. Mr W. H. Thomas	1 500	Do	Executive Engineer, Projects	A.C.G.T. & M.T.C.I.
9. Mr W. I. Anderson	1 500	Do	Executive Engineer, Reclamation Branch	A.M.T.C.I.
10. Mr W. S. Spiers	1 000	Do	Dredging Master	
11. Mr C. C. Crowder	1 500	Do	Executive Engineer in charge Quarry	Special experience in Quarry works, received training of Mining Engineer in a large English engineering shop
			<i>No. 1 Housing and Materials Division</i>	
12. Mr T. Harvey	2 000	British	Superintending Engineer No. 1 Housing and Materials Division	M.C.E., M.T.C.I.
13. Mr J. H. Colaba wala	1 400	Indian Parsi	Executive Engineer Bombay Housing District No. 1	M.C.E. (Ind.) M.I.P. (India) Assoc. M.C.E. I.E. Assoc. A.I.E.E.

No 45

on a salary of Rs 1 000 and above per month

Date of appointment	On what pay he was appointed	By whom appointed	What pay he used to draw in the service or Department in which he was last engaged
8th November 1910	Rs 6 000	Secretary of State	He was drawing Rs 4 000 per mensem with Provident Fund as Agent C I P Railway Coy
11th July 1922	6 000	Government of Bombay	He was drawing his grade pay and allowances as Collector of Saint
23rd January 1922	1 150	Do	He draw his grade pay and allowances in the Provincial Civil Service as Assistant Commissioner Northern Division
1st August 1921	2 000 as Deputy Engineer	Government of Bombay	Private employment
11th April 1921	2 000	Government of Bombay with the approval of the Secretary of State	Formerly Local Engineer Bastah, and was drawing Rs 1 800
20th August 1921	1 750	Government of Bombay	Rs 1 400 per month with allowances formerly Resident Engineer Construction G I P Railway
24th August 1920	2 000	Do	Private employment
31st March 1921	1,200	Director of Development	Rs 800 plus Rs 400 maintenance allowance
11th December 1921	1 200	Government of Bombay	Private employment
3rd March 1922	1 000	Do	Information not available
11st October 1921	800	Director of Development	He was drawing Rs 750 plus Rs 205 acting allowance as Divisional Engineer Military Service
20th February 1921	1 000	Government of Bombay	He was drawing Rs 1 175 plus Rs 150 duty allowance plus Rs 100 as acting allowance plus Rs 220 motor car allowance as Executive Engineer P W D (Madras) and New Delhi
8th November 1921	1 200	Director of Development	He was drawing Rs 650 per month as Assistant Member Board of Revenue in Charge Irrigation Department Gwalior State

Name of officer	Monthly pay	Nationality	Designation	Qualification
	Rs		<i>No 1 Housing and Materials Division—contd</i>	
14 Mr A Hamid	1 400	Indian Mahomedan	Executive Engineer Bombay Housing District No 2	F 50
15 Rao Sahab P S Krishna Swami Ayyar	1 200	Indian Hindoo	Executive Engineer Bombay Housing, Sanitary District	
16 Mr W K Caldwell	1 400	British	Executive Engineer Mechanical District	Mechanical training in Paisley and West of Scotland Technical College. Apprentice to and trained by M S John McDowell & Co Johnstone
			<i>No 2 Suburban Division</i>	
17 Mr A I MacDonald Clark	2 000	Do	Superintending Engineer No 2 Suburban Division	MA B Sc MICE
18 Mr F S Soornial	1 400	Indian Hindoo	Executive Engineer Andheri and Suburban Sanitary District	BT formerly Municipal Engineer Allahabad
19 Rao Sahab K C Advani	1 200	Do	Acting Executive Engineer Kurla Bombay District <i>see Mr C W P</i> <i>Signature on leave</i>	F C I
20 Mr A Tennon Stanton	1 450	British	Electrical and Mechanical Engineer	M I E (India) M Amos M I A M I M I A M I I I formerly Deputy Lower House Superintendent B I S and L Company
21 Mr F A Tomlin	1 400	Indian Christian	Executive Engineer Central Sisetto Railway	25 years experience of railway construction water works etc
			<i>Suburban Survey</i>	
22 Mr W T Newland	1 400	British	Superintendent Bombay Suburban Survey	He belongs to the Government of India Survey Department
			<i>Land Acquisition Bombay</i>	
23 Mr G C Rowe	1 600	Do	Land Acquisition Officer for the City of Bombay	F S I Has worked for 20 years as surveyor and land valuer in England
			<i>Land Manager Development Directorate</i>	
24 Mr M M Gilbert Lodge	3 500	Do	Land Manager Development Directorate	F S I I A I A I
			<i>Sisetto Development</i>	
25 Mr L W Perry I C S, Acting vice Mr G F J Carter, on leave preparatory to retirement	1,400	Do	Collector Bombay Suburban District and Sisetto Development Officer	I C S

No 45—*contd*

Date of appointment	On what pay he was appointed	By whom appointed	What pay he used to draw in the service or Department in which he was last engaged
	Rs		
10th October 1921	1 200	Director of Development	Rs 70 as permanent Executive Engineer in the service of II I H the Nizam of Hyderabad
5th August 1922	600	Do	Rs 120 including allowances in the grade of Rs 200—20—700 as Assistant Engineer P W D (Madras)
2nd April 1921	1 200	Do	He was drawing Rs 1 200 as Works Manager and Deputy General Manager with Messrs. The Omkar Foundry and Engineering Co
17th January 1921	2 000	Government of Bombay	Rs 1 800 as Superintending Engineer Construction R D C I Railway
12th March 1920	1 200	Do	Rs 850 and allowances
16th October 1922	600 as an Assistant Engineer	Director of Development	Rs 300 in Sind as an Assistant Engineer in the P W D. He is now eligible for acting Executive Engineer's post in the P W D
20th September 1921	1 200	Do	Rs 1 260 per month as Deputy Power House Superintendent Bombay Electric Supply and Tramways Company
5th February 1921	900	Do	Rs 60 per month
19th March 1921	1,500	Government of Bombay	Rs 1 100 plus Rs 100 as permanent Superintendent Bombay City Survey and Land Records Office
1st July 1921	1,200	Do	Rs 1 300 including pay and allowances
11th November 1920	2 000	Do	Rs 1 200 formerly Assistant Land Acquisition Officer Bombay
27th May 1924	1 400	Do	He was drawing Rs 1 400 as pay and allowances in the I C S 3rd grade as Deputy Secretary to Government Finance Department

APPENDIX

*Statement showing the information about the rates levied per head on
1913-14 to 1923-24*

Serial No	Name of Jaha girdar who owns a ferry	Name of place where ferry is situated	Particulars of rates	Rates levied per head			
				1913-14	1914-15	1915-16	1916-17
1	2	3	4	5	6	7	8
1	Sardar K. D. Hingani, Chan- dori	Chandori	During low water in the river	0 0 6	0 0 0	0 0 0	0 0 0
			During high water in the river	0 1 0	0 1 0	0 1 0	0 1 0
2	Shrimati Girja bai Shivdevrao Vinchurkar Saykheda	Saykheda		0 0 3	0 0 3	0 0 3	0 0 3

No 46

the farms at Saykheda and Chandori by the Jahagirdars from the year Nasik District

during the year of							Remarks
1917 18 9	1918 19 10	1919 20 11	1920 21 12	1921 22 13	1922 23 14	1923 24 15	16
0 0 6	0 0 6	0 1 0	0 1 0	0 1 0	0 1 0	0 1 0	
0 1 0	0 1 0	0 2 0	0 2 0	0 2 0	0 0 0	0 0 0	
0 0 3	0 0	0 0 3	0 0	0 0	0 0 3	0 0	Below years 12
0 0 0					0 0 0	0 0 0	Over years 13

APPENDIX No 46 A

List of newspapers published in Sind in receipt of Government advertisements and their estimated circulation

Name of paper	Circulation	Daily, Weekly etc
1 The Daily Gazette	4,000	Daily
2 The Sind Sudhar	850	Weekly
3 The Sind Observer	850	Daily
4 The Parsi Sansar	1,000	Bi weekly
5 The Sind Zamindar	1 200	Do
6 The Musafir	500	Weekly
7 The Sindvasi	500	Daily
8 The Frontier Gazette	500	Weekly
9 The Ah Haq	450	Do
10 The Ah Hakikat	800	Do
11 The Mirpukha Gazette	600	Do
12 The Dharam Vir	650	Do
13 The Kanya	650	Do
14 The Bhatia Pratam	300	Do

APPENDIX No 46 B

**STATEMENT OF DEMAND FOR SUPPLEMENTARY GRANTS TO
COVER THE EXCESSES SHOWN IN THE APPROPRIATION
REPORT ON THE ACCOUNTS OF THE BOMBAY PRESIDENCY
FOR THE YEAR 1922-23**

No 7 Honourable Mr H S LAWRENCE

In his Appropriation Report on the accounts of the Bombay Presidency (including Sind) for the year 1922-23 the Accountant General, Bombay, has pointed out excess expenditure in the final accounts under the following heads, which requires the sanction of the Legislative Council —

	Amount of excess
	Rs
(1) 22, General Administration	39,82,623
(2) 9A, Scheduled Taxes	185
(3) 45, Superannuation allowances and pensions	1,88,433
(4) 52, Miscellaneous adjustments between the Central and Provincial Governments	19,757
(5) 43, Famine Relief and Insurance	2,76,914

The excesses are briefly explained below —

(1) 22, *General Administration* — The bulk of the excess under this major head was due to a change in the classification of accounts directed by the Auditor General, and explained to the Council at the last budget sessions. In accordance therewith there was a mutual exchange of charges between the heads "5, Land Revenue" and "22, General Administration". This accounts for Rs 38,89,979. Of the balance, Rs 48,000 is on account of tour expenses of His Excellency the Governor,

Rs 33,000 for supplies to the Bodyguard and Rs 12,000 on account of travelling allowances for Ministers for which no provision had been made. The excesses could not be brought to the notice of the Finance Department in time to obtain supplementary grants during the year. Full explanation of the excesses was given to the Public Accounts Committee.

(2) *9A, Scheduled Taxes*—Provision for expenditure in connection with the administration of the Entertainments Duty Act was made under the major head "7, Stamps", but in the final accounts the net expenditure of Rs 185 was debited by the Accountant General to a new major head "9A, Scheduled Taxes" opened under orders of the Auditor General. There was, therefore, actually no excess, as the provision under "7, Stamps" was not utilised.

(3) *Superannuation Allowances and Pensions*—The excess under this head was due mainly to two causes, (1) expenditure on commuted value of pensions to be paid to other Provincial Governments, and (2) expenditure on account of Exchange, provision for which was made under the head "40, Exchange". In the final accounts this expenditure was debited to the head "Superannuation Allowances and Pensions" owing to the abolition of the head "40, Exchange".

(4) *Miscellaneous adjustments between the Central and Provincial Governments*—The excess was due to adjustments in the accounts for March Final, 1923, of the expenditure incurred by the Central Government in respect of Forest Probationers allotted to this Presidency.

(5) *Famine Relief and Insurance*—The statutory annual assignment of Rs 63,60,000 for Famine Relief and Insurance was provided in the budget as a non-voted item. Under paragraph 3 of schedule IV to the Devolution Rules such portion of the annual assignment as is likely to be spent during the year on famine charges is to be included in the demands for grants to be submitted to the Legislative Council, but such charges could not be known before the close of the year 1922-23 in time to enable Government to obtain a vote of the Legislative Council.

2. Some of the excesses mentioned above were brought to the notice of Government before the close of the year 1922-23, and a statement for supplementary grants was actually prepared, but it was subsequently decided to get them regularized through the Appropriation Report and the Public Accounts Committee. The Government of India obtain a vote of their Legislature to cover such excesses, and on the advice of the Auditor General, the same procedure is proposed to be followed by this Government. The formal sanction of the Legislative Council to the aforesaid excesses is accordingly necessary and may be accorded. In this connection, it may be observed that supplementary grants to cover similar excesses anticipated in the latest revised estimates for 1923-24 were obtained from this Council in the Sessions of March 1924.

Finance Department,
Bombay Castle, 2nd October 1924

G WILES,
Secretary to Government

APPENDIX 46 C

STATEMENT OF DEMAND FOR A SUPPLEMENTARY
GRANT COVERED BY RE APPROPRIATION

TRANSFERRED 8 Honourable Mr B V JADHAV

In view of a strong demand for the teaching of science at the Karnatak College Dharwar, Government have sanctioned a scheme for the opening of Inter Science classes at the Karnatak College, Dharwar, for a period of two years with effect from June 1924, on the understanding that the non recurring expenditure involved in the scheme is met from the amount of the grant of Rs 34,000 promised by the Dharwar Recruiting Fund Committee. The average annual expenditure involved in the scheme is Rs 11,934 while the non-recurring expenditure involved in the scheme is Rs 34,000 as under —

	Rs.
Furniture	10,000
Fittings	3,000
<i>Apparatus—</i>	Rs
Physics	6,000
Chemistry	6,000
Biology	6,500
Books for Physics	1,000
Books for Chemistry	1,000
Books for Biology	500
	<hr/>
	21,000
	<hr/>
	34,000
	<hr/>

The recurring expenditure of Rs 7,425 in the current year will be met from the provision of Rs 34,910 made in the current year's budget for "Scholarships in Professional Colleges". According to account rules the amount of Rs 34,000 contributed by the Recruiting Fund Committee will have to be credited to Government in the first instance and it cannot be directly spent towards the non-recurring expenditure involved in the scheme. In these circumstances and as no provision has been made on this account in the current year Government sanctioned, in anticipation of the vote of the Legislative Council, the expenditure which was urgent, to be met from the Reserve with Government (Finance Department). This involves a re appropriation of funds from "47, Miscellaneous" to "31, Education" and requires the sanction of the Legislative Council.

Re appropriation suggested

Demand voted and now reduced— “ 47, Miscellaneous ”	Demand voted and now increased— “ 31, Education ”
Rs 44,50,805 minus Rs 34,000	Rs 1,81,35,456 plus Rs 34,000

Finance Department,
Bombay Castle, 8th October 1924

G WILES,
Secretary to Government

APPENDIX 46 D

STATEMENT OF DEMAND FOR A SUPPLEMENTARY GRANT
COVERED BY RE APPROPRIATION

TRANSFERRED. 12. Honourable Mr ALI MAHOMED KHAN DELHVI

**Stores required from England for the photo-copying of documents
in the Registration Department,**

A provision of £ 700 has been made in the current year's estimates of the High Commissioner for India under the head “ 9, Registration ” for the purchase of paper and chemicals required for the photo copying of documents. The system has since been extended to some more offices, and stores of the value of £ 1,670 are required for all the offices. Out of this amount £ 700 (= Rs 7,000 at the rate of Rs 10 per pound) have been provided in the High Commissioner's estimates. It is necessary to provide a further sum of £ 970 (= Rs 9,700) in the High Commissioner's estimates. The additional sum can be transferred from the provision of Rs 33,000 for temporary establishment and of Rs 1,28,292 for pay of clerks under the head “ 9-B, Registration ”. The saving in permanent establishment alone on account of the introduction of the photo copying system is Rs 28,320, besides leave allowances, pension liabilities, etc., and there has been a considerable saving in temporary establishment as no copying has to be done by clerical labour.

Re appropriation suggested

Demand voted and now reduced— “ 9, Registration ”	Demand voted and now increased— Expenditure in England, High Commissioner for India
Rs 7,45,000 minus Rs 9,700	Rs 11,44,000 plus Rs 9,700

Finance Department,
Bombay Castle, 15th October 1924

G WILES,
Secretary to Government

APPENDIX No 47

List of contractors and firms who have been given contracts of the amount of Rs 25,000 and above for work on the Lloyd Barrage and Canals Construction Scheme

Name of work	Name of contractor or firm	Amount of contract
1 Constructing buildings at mile 20 of the Khuthai Branch	Mr Allahbux Haji Mohamad Umair	Rs 33,558
2 Do do at Gwaha Yasim	Mr Krishnachand Mathuram	42 807
3 Do do at Shihardkot	Do do	60,962
4 Supplying burnt bricks	Messrs Gopaldas and Ladharam	44,050
5 Supplying stone at Barrage Township	Messrs Ratansingh Dermal and Kundandas	1,00,000
6 Supplying pitching stone and cleaning overburden from Rohru Quarries	Messrs Ardeshir and Co	25,000
7 Constructing bungalows in the Barrage Township Sukkur	Messrs The Tata Construction Co., Limited	3,15,000
8 Constructing establishment and messal quarters in Barrage Township, Sukkur	Do do	2 47 000
9 Constructing First Class Inspection Bungalow and other buildings at Dadu	Mr Hassanand Hotchand	41,500
10 Constructing First Class Inspection Bungalow with subsidiary building at Fando Allahyar	Mr Bulchand Chandiram	36,064
11 Constructing First Class Inspection Bungalow with subsidiary buildings at Shahdadpur	Mr Menghraj H Gidwani	33 246
12 Constructing Second Class Inspection Bungalow out office and Subordinate's Rest House at Bulgar	Do do	26,067
13 Constructing First Class Inspection Bungalow with subsidiary buildings at Sakrand	Mr Hundraj Thudharam	26,216

APPENDIX No 48

Excise Advisory Committees Poona
Recommendations made by —

GOVERNMENT OF BOMBAY

REVENUE DEPARTMENT

Resolution No L C -1593

Bombay Castle, 9th October 1924

Memorandum from the Commissioner of Excise No 18-20/24 dated 5th September 1924—Forwarding, together with copies of the papers specified in the margin, a copy of the proceedings of a meeting of the Excise Advisory Committees, Poona City and Cantonment, held at the Collector's Office, Poona, on 12th June 1924, showing the recommendations* made by the Committees

Letter from the Collector of Poona No Ex 197 dated 18th June 1924 to the Commissioner of Excise
Letter from the Commissioner of Excise No 44/24 dated 12th July 1924 to the Collector of Poona

RESOLUTION—Government are pleased to pass the following orders on the recommendations made by the Excise Advisory Committees, Poona City and Cantonment —

Recommendation No 1—Country liquor shops in Poona are now closed on about 77 days per year. If the Committees' recommendation were accepted they would have to be closed on about 95 days per year. The closing of the shops on five consecutive days during the festivals of Ganpati, Mohurram and Holi would however cause serious inconvenience to the drinking classes. Government are of opinion that the present orders as to closing days are sufficiently stringent. No further action is therefore necessary.

Recommendation No 2—Government have at present under consideration the recommendation made by the Excise Committee to the effect that all shops in industrial areas should be closed on pay days, provided a substantial majority of factory owners agree to fix a particular day for the payment of wages. The Excise Advisory Committees, Poona, go further than the Excise Committee by recommending closing also on pay days of public bodies. Orders on this point will be passed when a decision has been arrived at on the recommendation of the Excise Committee.

Recommendation No 3—Government are of opinion that the control of excise arrangements should be exercised through their executive officers and that it cannot be transferred to Advisory Committees. They are therefore unable to accept this recommendation of the Committees.

* Printed as accompaniments to this Resolution

Recommendation No 4—The question of revising the hour fixed for opening and closing liquor shops is under the consideration of Government in connection with the recommendations of the Excise Committee

Recommendations Nos 5 and 6—Pending consideration of the Excise Committee's Report, Government are inclined to think that the total number of shops in Poona City, viz, 6, is not excessive for a town having a population of over one lakh. The closure of the Narayan Peth shop does therefore not appear to be necessary. An attempt will however be made to remove this shop to a site beyond the Lakdi Pul if a suitable site can be found.

Recommendation No 7—The Collector of Poona has been asked to select suitable sites and give effect to the Committee's recommendation from the next year if possible.

Recommendation No 8—In accordance with the present policy of Government, 2 out of the 6 shops situated within the limits of Poona City and one shop in the Poona Cantonment are authorized to sell 60° U P country liquor only, while in the remaining shops both 40° U P and 60° U P liquor is allowed to be sold. Government are advised that the Committee's proposal to restrict all the shops within this area to the sale of 60° U P liquor only will have the effect of driving the drinking classes to the use of foreign liquor of a higher strength, a result which is to be deprecated on several grounds. Government are therefore of opinion that the change proposed should be introduced gradually. The Commissioner of Excise should be requested to select a few more shops within this area which should be restricted to the sale of 60° U P liquor only with effect from the ensuing year.

By order of the Government of Bombay
(Transferred Departments),

H K KIRPALANI,

Deputy Secretary to Government

To

The Commissioner of Excise,
The Collector of Poona

**Accompaniment to Government Resolution, Revenue Department,
No L C 1593 dated the 9th October 1924**

*Recommendations of the Excise Advisory Committees, Poona
City and Cantonment*

No 1 —That all country spirit shops be closed besides Sundays, on all public holidays, and all Hindu and Mahomedan sectional holidays and on the last five days of Ganpati and Mohurram, for five days of Shimga and the day following Makar Sankrant

No 2 —That all country spirit shops be closed for half the day (from 4 p m) on the pay days of public bodies and mills provided that all such bodies agree to make payments on a fixed day in each month

No 3 —That powers be given to members of the Advisory Committee to inspect country spirit shops in the City and Cantonment

No 4 —That all country spirit shops should be opened at 3 p m and closed at 6-30 p m from September 1st to February 28th and at 7 p m on the remaining days

No 5 —That the Narayan Peth shop should be closed immediately , the proportionate amount of the license fee being refunded

No 6 —That one shop in addition to the abovenamed shop should be closed from the beginning of the next year

No 7 —That the sites of the Mangalwar and Khadak shops should be changed if possible from next year

No 8 —That only 60° U P liquor should be sold within the City and Cantonment

APPENDIX No 49

Statement showing the sums placed to the credit of the Village Fund of each of the Village Panchayats in the Nasik District under clauses (a), (f) (g) and (h) of section 25 of the Village Panchayats Act, for 1922-23, 1923-24 and 1924-25

Name of Village Panchayat	Sums credited under clause (a) of section 25			Sums credited under clause (f) of section 25		
	1922-23	1923-24	1924-25	1922-23	1923-24	1924-25
Dindori				224	150	150
Niphad				232	150	150
Lasalgion				152	150	150
Chondori				160	150	150
Kalwan				240	150	150
Satara				102	150	150
Malegaon Camp				261	150	150
Ghoti				150		150
Peint				150	150	150

Name of Village Panchayat	Sums credited under clause (g) of section 25			Sums credited under clause (h) of section 25		
	1922-23	1923-24	1924-25	1922-23	1923-24	1924-25
Dindori		30		Rs 2 p		
Niphad				147 6 10		
Lasalgion				512 1 10		
Chondori				335 6 10		
Kalwan				568 11 8		
Satara				944 9 2		
Malegaon Camp				1,243 1 0		
Ghoti				6,500 7 6		
Peint						

APPENDIX No 50

PRESS NOTE

At the session of the Legislative Council of this Presidency held in July 1919, the Honourable Mr Shridhar Balkrishna Upasani moved a resolution which was accepted on behalf of Government and passed by the Council in the following modified form —

“ This Council recommends to His Excellency the Governor in Council to be pleased to represent to the Government of India to rule that in the case of teachers in vernacular schools their whole service as teachers be recognized as superior for purposes of pension even if it be on a salary of less than Rs 10 a month ”

The minimum pay of untrained primary school teachers in this Presidency, which was a few years back Rs 9 per mensem and was raised to Rs 10 per mensem in 1917 18, was further raised to Rs 12 a month in 1918 19. From that year, therefore, these teachers would be treated as in “ superior ” service and they would consequently be entitled to pension on the “ superior ” scale. The Honourable Mr Upasani's resolution, however, referred specially to the *existing* untrained primary school teachers who had rendered service in the past on a pay of Rs 10 per mensem and below, and it recommended that this past service which had till then been treated as “ inferior ” should thereafter be treated as “ superior ” for the purposes of pension, so that these teachers might be entitled to count for pension on the “ superior ” scale the whole of their service including that on a pay of Rs 10 and below.

2 The proposal required the sanction of the Secretary of State. The Government of India were accordingly addressed on the subject in

The Commissioner, Northern Division,
 The Commissioner, Central Division,
 The Commissioner, Bombay Suburban Division,
 All Collectors, including the Collector, Bombay Suburban District
 and the Deputy Commissioner, Upper Sind Frontier,
 The Director of Public Instruction,
 The Agency Educational Officer, Kathiawar,
 The Agent to the Governor, Kathiawar,
 The Accountant General,
 The Political Department,
 The Financial Department,
 The General Department,
 The Superintendent of Government Printing, Bombay,
 The Manager, Government Central Press,
 The Director of Information, Bombay,
 The Editors' Tables and Editors of Newspapers,
 The Editor, *Educational Review* Madras,
 The Oriental Translator to Government (with a request that the Press
 Note may be translated into Marathi, Gujarati, Kanarese and Urdu
 and that printed copies of the translations may be distributed to
 the Editors of Vernacular Newspapers to whom copies of Press Notes
 are generally supplied),
 The Non-official Members of the Legislative Council,
 The Secretary to the Legislative Council (for the Reading Room for
 the Members of the Legislative Council),
 All Registered Libraries

By order of the Government of Bombay
 (Transferred Departments),

S N ZIMAN,

Deputy Secretary to the Government of Bombay,
 Educational Department

APPENDIX No 51

Information required by Mr H A Lalji, M L C

	Number of schools	Number of scholar	Annual average cost to Govern- ment per pupil	Total expenditure
English teaching schools	44	10,499	Rs 21 0	Rs 9,14,171
A V Schools	116	69,176	22 0	45 02 624
Primary schools	12,578	835,221	13 6	1,06,86,720

APPENDIX No 52

List showing the names of Sardars and Inamdars who are exempted from payment of toll at the toll bars in this Presidency

District	Taluka	Names of Sardars and Inamdars	Names of villages of the Sardars and Inamdars
Satara	Satara	Sardar Swami of Chafal	1 Savagaon, 2 Songaon and 3 Wavde
	Patan	Do do	1 Chafal 2 Jalgewadi, 3 Nanegaon Bk, 4 Nanegaon Khd 5 Padlosli, 6 Deivan and 7 Khonoli
	Satara	} Sardar Bhanu Sahab alias Pratapsingh Bhosle of Satara	1 Limb 2 Aital, 3 Ninari
	Wai		Bavdhan
	Wai	Sardar Gulam Jilani of Pasarni	Pasarni
	Patan	Lieut Sardar Bhum rao alias Bha u Saheb Nagojirao Patankar of Patan	1 Patan 2 Chopadi, 3 Surul, 4 Masvhi, 5 Amrule, 6 Sakhari, 7 Mendhosli 8 Deosli Khd, 9 Nivakane 10 Kusavade 11 Ambeghar, 12 Naval, 13 Goshatvadi, 14 Kaloli, 15 Chirambe, 16 Chiteghar, 17 Ambavane, 18 Pimplosli, 19 Ghanava, 20 Chafoli, 21 Gojegaon 22 Pambkhana, 23 Mulgaon, 24 Wanzoli, 25 Belvade 26 Dastan 27 Gadhav Khop 28 Bibi, 29 Tamlada, 30 Baje, 31 Nahimbe, 32 Devahi Bk, 33 Ghanbi, 34 Deoghar, 35 Gokul, 36 Kati, 37 Aral, 38 Keral 39 Mandure, 40 Tripudi 41 Vajegaon
	Karad	Do do	1 Potale 2 Belvado Bk

NOTE —There are no Sardars and Inamdars in the other districts of the Presidency who are exempted from payment of toll at the toll bars

APPENDIX No 53

Statement showing the recommendations of the Retrenchment Committee which were stated to be under consideration in the statement laid before the Legislative Council and the further action taken thereon

Serial No in the original statement	Recommendations	Savings estimated by the Committee	Action taken by Government
	<i>General Administration</i>	<i>Rs</i>	
II	Abolition of the posts of Secretaries, Revenue and General Departments	70,500	The question of the re organization of the Secretariat is under the consideration of Government
III	Abolition of the posts of Deputy Secretaries, Revenue, General and Home Departments	78,500	
IV	Abolition of the posts of five Assistant Secretaries, viz., two of Revenue Department, two of General Department and one of Home Department	48,800	
V	Abolition of two thirds of the whole cost of clerical establishment in the Revenue Department	1,00,080	
VI	Abolition of two thirds of the clerical establishment in the General Department excluding one Branch dealing in Ecclesiastical and Marine work	95,260	
VII	Abolition of two thirds of three fifths of the whole cost of clerical establishment in Home Department	51,768	The reports of the Commissioners were called for on this recommendation and the report of the Commissioner, S D, has been received while those of other Commissioners are still awaited
	Discontinuance of tentage allowance and supply of Government tents to be made to those officers for whom they are really necessary		
	Revision of classification of officers for the purpose of travelling allowance and the adoption of the system of fixed travelling allowance as far as possible		The whole question of revising the rules about travelling allowance is under the consideration of Government and the opinions of all Heads of Offices and the Secretariat Departments were called for on the question. The reports from the General and Educational Departments are still awaited.

NO 53—contd

Serial No in the original statement	Recommendations	Savings estimated by the Committee	Action taken by Government
	<i>Agricultural Department</i>	Rs	
II	Substitution of 7 Provincial Officers on Rs 250—500 per mensem for 7 Imperial Officers on Rs 500—1,750 per mensem as Deputy Directors	63,000	No action has yet been taken
III	Abolition of the post of 3 Expert Officers out of the 5 posts of Soil Physicist, Plant Pathologist, Plant Breeding Expert, Horticulturist and District Horticultural Officer	27,900	It has been decided to retain the 2 posts of the Horticulturist and District Horticultural Officer
VII	Abolition of 8 Experimental and Demonstration Farms as well as those at Larkana and Sukkur	1 06,720	The abolition of the Kopergaon Farm as a demonstration farm has been sanctioned. A part of it is however likely to be retained as a sugarcane experimental farm. The Tegur farm is to be retained as a bull breeding farm. The Sukkur farm is also likely to be retained as a fruit growing farm. The question of the Mirpurkhas farm has not yet been considered.
X	Twenty per cent reduction in clerical establishment of the Director's office	6,558	An officer from the Secretariat has been deputed to examine and reorganise the office. His report is awaited.
	<i>Civil Veterinary Department, Presidency Proper</i>		
II	Reduction of the pay of Deputy Superintendent, C.V.D., Bombay Presidency, from Rs 250—25—750 to Rs 250—20—450—25,2—500	1 500	No action has yet been taken
	<i>Co operative Department</i>		
V	Reduction in the pay of 6 Assistant Registrars and 2 Special Auditors from Rs 300 to Rs 750 to Rs 250—500 per mensem	14,400	The pay of Assistant Registrars of the Co operative Societies has since been fixed at Rs 250—20—750 with an efficiency bar at Rs 550.

APPENDIX No 53—*contd*

Serial No in the original statement	Recommendations	Savings estimated by the Committee	Action taken by Government
	<i>Educational Department</i>	Rs	
VI	Discontinuance of Government grant to Manora School (European)	1,176	The report called for from the Commissioner in Sind regarding the arrangement usually made by the Military authorities for the education of children of soldiers has not yet been received
XIII	Further reduction of clerical establishment from Educational institutions	13,200	No further retrenchment has been made
	Government should retire from the management of Arts Colleges in favour of private enterprise wherever facilities for such education exist and in particular this principle should be applied immediately to the Elphinstone and Deccan Colleges	Not known	Still under consideration
	The present staff of Government Arts Colleges should be reduced by concentrating courses of instruction at particular colleges	Do	One Indian Educational Service post of Professor of Logic and Moral Philosophy at the Deccan College has been held in abeyance No further reduction is possible
	Government should retire from the management of Government High Schools wherever their transference to private bodies or municipalities is possible or wherever there are well conducted and efficient High Schools managed by established Educational Societies	Do	Still under consideration
	The Middle Schools at Surat and Ahmedabad should be abolished or amalgamated with the High Schools	Do	Do
	Menial establishments should be reduced in accordance with the proposals already before Government	Do	No change in the situation
	<i>Excise Department</i>		
II	Abolition of 1 post of Deputy Commissioner	19,700	One of the two posts of Deputy Commissioners of Excise has been abolished

APPENDIX No 53—contd

Serial No in the original statement	Recommendations	Savings estimated by the Committee	Action taken by Government
	<i>Excise Department—contd</i>	Rs	
III	Reduction of preventive staff including menials and clerks to strength required for detection only and redistribution of their grades	4,00,000	Still under consideration
IV	Reduction of 5 Inspectors' posts in the grade of Rs 400—20—500 and 4 in the grade of Rs 350—10—400 to the grade of Rs 220—10—300	16,932	One appointment of Chief Inspector on Rs 400—20—500 and 5 appointments of Inspectors on Rs 150—10.2—220 have been abolished
V	Replacement of Inspectors in charge of warehouses at Ratnagiri, Ahmedabad, Satara and Sholapur and the Assistant Inspectors in charge of the warehouses at Jalgaon and Thana by Sub Inspectors	7,910	Still under consideration
VI	Abolition of Excise clerks in Revenue Offices	18,000	It has been found that the contribution of Rs 38,500 (to which the original amount of Rs 18,000 has since been raised) cannot be stopped as the number of Excise clerks in Revenue offices cannot be reduced with the exception of about 3 in Thana, the possibility of which is being ascertained
VII	Reduction of Patta establishment in excess of the scale of 6 peons for a Deputy Commissioner and 4 for a Superintendent and abolition of 6 peons of the office of the Deputy Commissioner reduced	4,730	Still under consideration
VIII	Adoption of Police rules for travelling allowance of menials and adoption of permanent travelling allowance for Excise officers	50 000	Do
	FACTORY, BOILER AND SMOKE NUISANCES DEPARTMENT <i>Smoke Nuisances Department</i>		
II	Cost of Smoke Nuisances Inspection to be recovered from Municipalities	22,000	It has since been decided not to recover the cost from the Municipalities but to amend the Smoke Nuisances Act with a view to recovering the cost from the Millowners

APPENDIX No 53—*contd*

Serial No in the original statement	Recommendations	Savings estimated by the Committee	Action taken by Government
	DEPARTMENT OF LAND REVENUE	Rs	
	<i>Presidency Proper</i>	5,25,000	Still under consideration
I	Reduction of 33 per cent of talatis		
II	Abolition of 19 District Deputy Collectors	2,75,000	Do
III	Abolition of 9 Huzur Deputy Collectors from districts where branches of the Imperial Bank are situated	50,000	Do
XI	Reorganization of village establishment in Sind	3,00,000	Do
	<i>Medical Department</i>		
I	Replacement of 8 officers of the Indian Medical Service by officers of the Bombay Medical Service	Not reported	Still under consideration
VI	Expenditure on account of the pay and allowances of officers in the Medical Department should be curtailed by employment of agencies less expensive than those engaged at present	60,000	Do
II	Reduction of one half present strength of Medical School, Hyderabad	17,940	Government have postponed their decision regarding the future of this school and asked the Surgeon General to submit proposals for continuing the school at a reduced cost after he has an opportunity of studying the question locally
IV	Abolition of the Personal Assistant (Captain or Major) to Surgeon General	13,170	Still under consideration
V	Abolition of the present post of Office Superintendent and its conversion into that of a Non medical Personal Assistant		
X	The present practice of dispensary inspections by Civil Surgeons should be abolished and this work should be transferred to District Health Officers when such officers are appointed (as separately recommended by the Committee in connection with their recommendation on the Public Health Department)	Not reported	No change in the situation

APPENDIX No 53—contd

Serial No in the original statement	Recommendations	Savings estimated by the Committee	Action taken by Government
	<i>Police Department</i>	Rs	
III	Abolition of 62 Executive Sub Inspectors	1,42,104	The Inspector General of Police's revised proposals regarding the Sub Divisional Scheme have since been received and they are at present under the consideration of Government
V	Abolition of 60 District Inspectors of rural circles	1,27,156	The Inspector General of Police's revised proposals regarding the Sub Divisional Scheme have since been received and they are at present under the consideration of Government
XI (a)	The more extensive employment of the village Police for the duties performed by the unarmed District Police	Not reported	The Inspector General of Police's report on the subject has not been received as yet. He had promised to submit it in September 1924. As the report has not been received as yet, it has already been expedited.
(b)	Reduction of the clerical staff in the mofussil Police offices by the adoption of improved methods of audit	Do	The orders on the Inspector General of Police's report are being issued. Government have decided not to make any reduction in the clerical establishment of the Police Department in the mofussil until final order on the Auditor General's letter No 1796 Admin 637 23 dated <u>23rd November</u> <u>3rd December</u> 1923 dealing with the procedure to be adopted to ensure adequate financial control within a province are issued by Government in the Finance Department.

APPENDIX No 53—*contd*

Serial No in the original statement	Recommendations	Savings estimated by the Committee	Action taken by Government
(c)	Any increase in the Railway Police recommended by the Railway Police Committee should not be undertaken without careful consideration of what may be done by a redistribution of the existing staff	Rs Not reported	The provision of Rs 1,05,000 made in the current year's budget for additional establishment for detective work, training courses and night passengers guards on the Railways in the Bombay Presidency including Sind has since been passed by the Legislative Council and the orders sanctioning the entertainment of the staff have already been issued under Government Resolution Home Department, No 331 dated 16th April 1924. As regards the contribution to be recovered from the Government of India on account of the cost of the Railway Police it may be noted that information on certain points which was called for from the Government of India in October 1923 has not been received as yet, though the Government of India were expedited more than six times
(d)	Employment of the Local Sub Government Pleaders in the places of Prosecuting Sub Inspectors	Do	The Commissioner in Sind's report called for on the experiment made in the Hyderabad District has not been received. The Commissioner had promised to submit his report by 17th September 1924.

APPENDIX No 53—*contd*

Serial No in the original statement	Recommendations	Savings estimated by the Committee	Action taken by Government
(e)	Reduction may be effected in the clerical staff of the Commissioner of Police, Bombay	Rs. Not reported	The Commissioner's report has not been received as yet. It is understood that the report will be shortly submitted to Government.
(f)	An investigation may be made whether some economy of personnel can be effected by the amalgamation of the Bombay City Criminal Investigation Department staff with the Bombay Presidency Criminal Investigation Department	Do	The Inspector General of Police's revised proposals for the reorganization of the Criminal Investigation Department have not been received as yet. The Inspector General of Police had intimated in December 1923 that as the scheme involves many controversial points it might take a year to come to definite final proposals.
(g)	Retrenchment may be made in the expenditure on travelling allowances by the grant of permanent travelling allowances to all officers of and above the rank of Sub Inspectors and the introduction of the reduced rates of travelling allowance for the constabulary	Do	The permanent revised rules for travelling allowances are still under the consideration of Government.
VIII	<i>Public Health Department</i> Abolition of Personal Assistant to Director of Public Health	4 106	The post has been abolished from 1st April 1924.
XIII (c)	<i>Public Works Department</i> Abolition of Architectural District (half)		The Architectural District has been abolished from 1st April 1924, and the saving resulting therefrom amounts to Rs. 27 6b4.
1	A strong Committee should be appointed in order to revise thoroughly the present method of procedure and to eliminate unnecessary work		The Committee has since been appointed and is carrying on its investigations.

APPENDIX No 54

Pro forma account of the surplus excise revenue up to the end of
1920-21

(Figures in thousands of rupees)

<i>Receipts</i>	<i>Rs</i>
1917-18, Actuals	16,58
1918-19, Actuals	55,55
1919-20, Actuals	31,60
1920-21, Revised	33,59
Total	1,37,32

The share of the Educational Department for recurring expenditure is 13,50 per annum = 40,50 for three years

The share of the Medical and Sanitary Departments for recurring expenditure is 4,50 per annum = 13,50 for three years

The share of the Educational Department for non-recurring expenditure is $(1,37,32 - 54,00) - 2 = 41,66$

The share of the Medical and Sanitary Departments for non-recurring expenditure is 41,66

Total share of the Educational Department, $40,50 + 41,66 = 82,16$

Total share of the Medical and Sanitary Departments $13,50 + 41,66 = 55,16$

<i>Expenditure, Educational Department—</i>	<i>Rs</i>
1918-19, Actuals	13,43
1919-20, Actuals	22,74
1920-21 Revised	20,35
Total	62,52

Balance at the credit of the Educational Department

at the end of 1920-21 $82,16 - 62,52 = 19,64$

Expenditure, Medical and Sanitary Departments—

	<i>Rs</i>
1918-19, Actuals	4,62
1919-20, Actuals	10,32
1920-21, Revised	12,53
Total	27,47

Balance at the credit of the Medical and Sanitary

Departments at the end of 1920-21 $55,16 - 27,47 = 27,69$

Total balance **47,33**

APPENDIX No 55

*Statement showing information about assistance Suits filed by
Inamdar in 1922-23*

Name of the District	Number of assistance suits filed by inamdar	The total amount of arrears of revenue for which the suits were instituted	The total amount levied as process fees in the suits	The amount of penalty under section 148 of the Land Revenue Code levied in the suits
		Rs a p	Rs a p	Rs a p
<i>Northern Division</i>				
Ahmednagar	205	3 957 0 0	78 0 0	
Kanur	16	6 165 0 0	119 0 0	167 0 0
Panch Mahals	11	11 9 8 0 0	11 0 0	0 6 0 0
Bhach	22	2 21 0 0	11 0 0	
Surat	4	57 0 0	10 0 0	
Thana	6	7 061 0 0	185 0 0	210 0 0
<i>Central Division</i>				
Ahmednagar	23	6 015 11 5	126 7 0	142 0 0
East Khandesh	9	1 211 0 9	6 12 0	
West Khandesh	10	1 831 6 5	82 10 0	153 1 0
Poon	70	1 030 15 11	1 5 17 0	915 1 0
Nasik	12	2 511 4 3	92 15 0	107 2 8
Sholapur	11	1 025 0 1	30 9 0	10 1 0
Satara	71	18 940 15 5	915 1 6	625 7 4
<i>Southern Division</i>				
Bijapur	145	30 823 6 8	212 2 0	320 6 10
Bijapur	211	19 091 12 1	121 15 0	100 1 6
Dhule	108	12 718 5 7	167 0 0	312 14 0
Kolaba	235	10 211 11	208 13 0	1 064 11 3
Ratnagiri	17	5 010 1 2	195 11 0	491 1 4
<i>Lombay Suburban Division</i>				
Bombay Suburban District	26	21 970 0 0	380 0 0	1 0 0

APPENDIX No 56

Statement showing the Resolutions passed by the Bombay Legislative Council at the Sessions of February March 1924 and action taken by Government with regard to them

Serial No	Name of the Mover	Subject matter	Action taken by Government
1	2	3	4
<i>Revenue Department</i>			
2	Mr H B Shivdasani	Constitution of Surat District is one Protected Area under the Cotton Transport Act	The question of the re constitution of the Surat Cotton Zones was discussed at a conference recently held in Surat and the revised proposals are being laid before the Council
3	Mr R G Pradhan	Land Revenue Assessment Committee	Government have appointed a Committee to consider the question of bringing the process of revision of land revenue assessment under closer regulation by statute. The Committee has already commenced its proceedings. It has been asked to submit its report before the end of March 1925
5	Khan Saheb A M Mansuri	Application of Wakf Act to the Bombay Presidency	Certain preliminary points require to be settled before effect can be given to the recommendation of the Council
6	Mr N L Navle	Annual Valuation of crops	The Committee consisting of official appointed in pursuance of the Resolution has submitted its report to Government. The report is under consideration
<i>Home Department</i>			
7	Mr G I Patel	Adequate compensation to sufferers from dacoits in Borisd and Anand Talukas	Orders have been issued sanctioning extraordinary family pensions for the support of the families of persons killed by dacoits in the Kaira District
8	Mr V A Dabholkar	Salaries of Presidency Magistrates other than the Chief Presidency Magistrate, to be fixed at Rs 1,000—50—1,500	The Government of India has been moved to revise the salaries of the Presidency Magistrates as recommended by the Council

APPENDIX No 56—contd

Serial No	Name of the Mover	Subject matter	Action taken by Government
1	2	3	4
9	Mr M K Dixit	<i>General Department</i> Restoration of Surat Municipality	It was resolved to re establish the Surat Municipality on 15th December 1924 while the original period of super session would expire in February 1925 In view however of the representation of Mr M K Dixit that the Municipal electoral roll could not be properly prepared in time owing to the non payment of municipal taxes by the rate payers, Govern ment have decided that the Municipality should be re established on the 15th February 1925

APPENDIX No 57

1	Percentage of Indian Christians to their population in			
	Arts Colleges	Secondary Schools	Technical and Indus-trial Schools	Training Institutions
	2	3	4	5
Indian Christians	02	1 1	3	3
Brahmins	1	2 1	05	06
Non Brahmins	01	28	007	003
Mahomedans	01	4	002	02
Parsis	4	7	07	

The original sub-clause 4 has been made more definite by deleting the first half, the provisos of sub-clause (1) being applied to 'young persons' by the insertion in it of those words

(d) of sub clause (1) has been extended to include the case of a child or young person frequenting the company of a prostitute

We have had some difficulty in amending (e) of sub-clause (1), but we think that, as amended, it applies to the case of the actual 'house' or residence, of a prostitute and not to any separate residences of other persons in the same house or 'chawl'

The remaining changes are verbal and self explanatory

Clause 9—Clause 9 has also been extensively modified. We have confined the penal liabilities imposed by it to the cases of wilful, that is, intentional ill-treatment or neglect of a child, and have reduced the penalty to one of six months, with or without fine up to Rs. 200. We have also added a new sub-clause (4) which is taken from section 37 of the Children Act, 1908, and which makes it clear that the parental right to correct a child remains unaffected

Clause 10—Clause 10 has been amended by the insertion of the words 'for his own profit' in sub-clause (1) to secure that the provisions shall only apply to the cases of persons who for their own ends, cause children or young persons to beg, that is, to the employers of children as beggars. We think that this change, read with the power of exemption of any class of persons in any district from the provisions of the section, conferred on the Governor in Council in sub clause 3, will sufficiently safeguard any hard cases which may be found, in practice, to exist

Clause 11—The punishment imposable on a conviction under clause 4 has been increased, from six months to two years, and the fine from Rs 200 to Rs 1,000. We think this offence is sufficiently serious to justify this increase

Clause 12—For similar reasons, we have also increased the punishment awardable under clause 12 to three, instead of two years.

Clause 13—The new clause 13 inserted in the Bill has been taken from section 30 of the Bengal Children Act, as we believe that some such provision should be made

Clause 14—The amendment to clause 14 has been made with the object of securing that a child or young person detained shall be produced before a court having jurisdiction at the earliest possible moment

Clause 16—We have thought it advisable to restrict the power of issuing a search warrant and a warrant of arrest under this section to magistrates, who under clause 5 will all be first class magistrates. It would not ordinarily be practicable for the higher courts to issue such warrants, and we think that juvenile courts, which are to be of a special character, should not have these powers. The substitution of 'wilfully' for 'assaulted' is consequential on other amendments in the Bill. Sub-clause 2 has been re drafted so as to allow the magistrate to issue a bailable warrant in such cases and we have also provided that the name of the child or young person in respect of whom proceedings are taken shall, if known, be inserted in the warrant.

Clause 17 —Some members of the select committee have represented that the powers under this clause might be abused by unscrupulous persons laying false information from malicious motives, and we have therefore inserted, after this clause, a new one framed on the lines of section 250 of the Criminal Procedure Code, 1898, allowing the magistrate who finds such an information to have been false, and frivolous or vexatious to direct the informer to pay compensation to the person against whom a false, and frivolous or vexatious information has been laid

Clause 18 —The changes made in this clause are intended to secure that, in the cases of children or young persons, the ordinary rule should be to release them on bail, except in the cases of charges of very serious offences. A special proviso has also been inserted for the cases of girls under sixteen. This is taken from section 17 of the Bengal Act

Clause 21 —A new sub-clause (5), also taken from the Bengal Act, has been added to this clause to guard against women who do not appear in public being required to attend the court under these provisions

Clause 25 —We have provided for an appeal in cases under this section

Clause 28 —The new sub clause (2) is taken from section 31 (2) of the Bengal Children Act

Clause 39 —The committee have thought it better expressly to state that before a certificate is withdrawn the manager of the school shall have an opportunity to show cause against such withdrawal

Clause 42 —The words inserted widen the discretion of the Governor in Council in such cases. The clause, as it stood, provided for a discharge or a transfer, only

Clause 45 —The amendments made in this clause are designed to show the object of the inspection provided for. We have deleted the word 'papers' in sub-clause 2, in view of the possibility of some of these being confidential

Old clause 45 —The committee have thought it better to delete this clause principally on the ground that its effect would be to make a decision, by perhaps an inferior court, final on the point of the age of a child or young person

Clause 47 —The words 'endeavour to' have been omitted in two places so as more definitely to throw the duty of ascertaining the religious denomination of the child or young person on the court. and section 39 (3) of the Bengal Children Act has been inserted as sub clause (4), to ensure that a child or youthful offender shall be brought up within the religion to which he or she belongs

Clause 51 —The sections mentioned have been renumbered in accordance with the proposed draft of the Bill, and amendments consequential on those in clause 5 have been made in sub clauses (a) and (b)

Clause 52 —Sub clause (n) of this clause has been added to, in order to give power to call for periodical reports on the conduct of children and youthful offenders who have been boarded out or who have been allowed out on a licence

The Select Committee have thought it expedient to subject the rule making power to the further condition that any rule made under this clause may be modified or annulled by a resolution of the Legislative Council. The rules made will come into force at once, but it is left to the Council, at its next session after their issue, to annul or modify any of them.

(Signed) M H W HAYWARD

(,) S J MURPHY

(„) A MONTGOMERIE

(„) S K BOLT

(,) A M MANSURI

(„) J P BUNTTRE

(„) K E DADACHANJI

(„) S T KAMBI

(„) T ADDYMAN

(„) R G PRADHAN (*subject to
a minute of dissent*)

(„) I B BHOPATKAR (*subject to
a minute of dissent**)

(,) NOOR MAHOMED

(*Minute of Dissent by Mr R G Pradhan, M L C*)

I am of opinion that section 45 should be deleted. My reasons are (1) the power given thereunder is likely to be abused, particularly in times of political agitation, (2) it is unnecessary, since, in case a manager of an institution, such as is contemplated by the section wilfully neglects or ill-treats children or young persons who are in his charge or under his control, he can be dealt with under the penal clauses of the Bill, and (3) on the ground of principle, Government should not be given the power of inspecting private institutions of this kind, to which they give no financial assistance at all.

The avowed object of the inspection is to secure the health and welfare of the children and sanitation of the premises. Cannot the managers of the institutions and those who subscribe to their funds be trusted to secure this object? In case the managers do not properly discharge their duties, and wilfully neglect or ill-treat children or young persons in a manner likely to cause injury to their health, they can be dealt with under section 9 of the Bill.

(Signed) R G PRADHAN

* To be published when received.

(Minute of Dissent by Mr Hoosenbhoy Abdoolabhooy Lalljee, M L C)

Before I write my views on the few points on which I have differed and before I put down a few suggestions which I consider ought to be incorporated in this Bill, I wish to say that we have had a full and free discussion on almost all the sections of this Bill in the Select Committee and that the Honourable the Home Member has met with our views to a great extent. I must also say that the provision made for an orphanage instead of a police-station as the first place of safety, the provision made for not keeping of young girls at the police-station and of their immediate release on bail, as also the provision made for the preservation of the religion of a child or a young person, were the important provisions which my community had desired. The addition of the word "wilful" wherever any charge of neglect is preferred against the parents or guardian and of the addition of the words "regular and proper guardianship" and the provision giving the right of appeal to the parents and guardian and an addition of a provision preserving the right of parents over their children are also desirable additions and I think that if the Government will accept a few more suggestions of the non official members this Bill which is bound to be of great good to the people will be received by the people with such a good feeling that it would make Government proud of it.

Now, in taking up the points on which I had differed and also the suggestions which I wish to make, I will deal with them in the order in which they appear in this Bill —

In section 3 (g), line 56 I wish to add after the word "place" the words "or institution" and after the word "occupier",
 Section 3 (g) "or manager or person in charge of such institution", the addition I wish to make is a simple one and quite apparent

In section 7, I wish to add a new sub clause (f) and it should run
 Section 7 as under —

"(f) is found drunk or taking drug or smoking in any highway or public place or on a licensed premises or is found in the habit of taking intoxicating liquor or drug or smoking in a manner as would inculcate in such young person the habit of drink or taking of drug or smoking"

I had suggested in the select committee to incorporate this but unfortunately it was not accepted, I make bold to suggest this again as I feel that it is essential. We are told that almost the whole of this Bill is on the lines and principles of the English Act and that is so, but I fail to see why when such provisions have been actually made in the English Act, they should have been omitted or left out in this Bill. Can it be said that these habits are impervious in England and not so in this country? Certainly not. The sentiment of this country and its climate and the poverty of the people demand the eradication of these evils much more and as early as possible than in any other country and I strongly press for the same.

For the very reasons stated above, I suggest an addition of the following
Section 10 (1) in section 10, clause 1, after the line 12 —

“or causes or incites or abets for the purpose of inciting young person to bet or to gamble or to borrow money or whoever for his own benefit takes an article or pawn from a young person whether offered by that person on his or her own behalf or on behalf of any other person or whoever employs or allows a young person in the bar of licensed premises or in premises specially licensed only for the sale of tobacco or such other drug, or whoever causes or encourages or incites in a young person a habit of taking any intoxicating liquors or drug or smoking in a manner as would inculcate in a young person the habit of drinking or taking drug or smoking, or whoever employs a child or a young person in a theatre in a manner likely to cause such child or young person suffering or injuries to his or her health or causes or allows such child or young person to take part in a proceeding in a play which would likely cause or incite in such child or young person looseness of morality or who fails to provide for such child or young person employed in a theatre some educational facility or proper care or residence separate from ill-famed person ”

It was suggested in the select committee that my above suggestions were not acceptable because those had not been circulated for public opinion nor had they been placed before the Government of India. As I have said above, I fail to see why Government have omitted these provisions in this Bill when they appear in the English Act and when as has been declared that this Bill is on the lines of the English Act and I think it was the duty of the Government to have drawn the attention of the public to that fact if there is at all any genuine need for obtaining public opinion and if they wish to put forward really this plea.

Those who know anything of the religious and sentimental feelings of the people of this country, I am sure will not only agree with me that the addition of those clauses is very essential and will be most welcomed but that without those clauses this Bill will not be received by the public in a manner which would enable Government as also this legislature, to feel proud of it. I had heard a rumour that whenever anything was desired to be done for the benefit of the public, Government were willing to do so provided it did not touch their revenue and specially the Excise or the Imperial revenue. I had no belief in this rumour, but I am sorry to say that I did find Government showing a great deal more concern for the Excise revenue and Imperial revenue than for the welfare of the people when the Excise policy was being discussed. However, in this case I can never believe that the Government will ever think of Excise revenue and therefore I trust Government will accept the suggestions and meet the public desire. As for the Government of India, sure enough when the Government of India can show so much magnanimity as to give away an annual revenue of seven crores of a poor country like that of ours for humanitarian object of not being party to supplying a drug which is injurious to the health of Chinese people, they cannot refuse to accept these suggestions but I hope they will welcome the incorporation of these suggestions in the Bill.

I suggest that after the word "exceeding" in line 10, the words
 "five hundred" be substituted for the words "one
 Section 17 (1) hundred" and after the words "was laid" in line
 13 the following words should be added —

"and may direct prosecution against such informant under section 182
 or 211 of the Indian Penal Code"

I had suggested in the select committee that in view of the fact that in
 cities there are persons who are tempted to trouble respectable people,
 therefore some deterrent provision should be made as would deter mis-
 chief makers from making false or frivolous statement. The clause 17
 has been added with this view, but I submit that in large cities unless
 drastic punishment is held out it is very difficult to stop mischief-makers
 from attempting to do so. The suggestion I have made will entirely be
 at the discretion of the magistrate and therefore no harm could be done
 without due care and attention. There have been instances in Bombay
 where well-to-do persons have put up men worth nothing to trouble both
 respectable people with good means as also respectable people but of poor
 means and, in case of the former, it could be presumed that such a person
 would no doubt move the court and obtain sanction for the prosecution
 but in latter case it would be impossible for the party to incur cost and
 get the culprit punished. It is the latter class of persons who ought to
 be protected and if powers were given to the trying magistrate to direct
 prosecution under section 182 or 211 of the Indian Penal Code the ends
 of the justice would be met. It may be said that the magistrate has
 inherent powers without making any such provision to order prosecution
 but it is a well known fact that the magistrates very very seldom exercise
 such powers and as a matter of fact there have been instances where
 magistrates have not exercised such powers and poor and respectable
 persons have not only been harassed but have been ruined under the cost
 of defending themselves in such trials, and it has been impossible for them
 to incur any cost for prosecuting or obtaining any compensation.

Section 27 (f) I submit that this must be deleted

The whipping punishment is now being removed from the statutes in
 all civilized countries and in case of juvenile offenders when Acts like the
 present one are to be enacted to prevent cruelty to children and young
 persons such a clause providing such a punishment, is in my humble
 opinion quite contrary to the spirit of the Bill. It is now a common
 knowledge what a great sin the whipping punishment meted out in
 Amritsar and Lahore had created in the country and it is high time that
 the Government realises that such a punishment must be done away with
 at once.

I have objected in the first place to the section 45 but on the addition to
 clause 1 of the last lines in the said section, I do not
 Section 45 (2) wish to oppose the same, but I do insist that in
 clause 2 the following words after the word "thereof" in line 18
 be deleted —

"and of all registers and accounts relating thereto"

My reasons for objecting to these are it is at present the duty of the
 Government to encourage the formation of institutions which would

undertake the protection of children and young persons as provided for in this Bill there is no reason why Government should keep the right to look into the registers and accounts. The whole object of the Government, as has been declared, is that they want the right of inspection for the purpose of securing the health and welfare of the children and the sanitation of the premises. It is a well known fact that public view the Government inspection with not a very happy mind and this will retard the initiation from the public towards the establishment of new institutions. It was said in the select committee that charitable institutions must be able to render accounts and I agree to this view provided action is taken against offending trustees or managers of charitable or endowment institutions under the provisions of already existing Acts which have been enacted for the purpose. It will be, I submit, not at all in the interests of unprotected children or young persons if any such provisions are made in this Bill. I think it necessary that all encouragement and inducement must be held out and given so that institutions may be formed for the purposes of this Bill.

(Signed) HOORBINBOY ABDOLABHOY LAITJEE

(Minute of Dissent by Mr. G. B. Pradhan, M.L.C.)

The wording of section 10 is very much drastic. It will include all the young children who perform in circuses as well as in streets such as Bhorpis, etc. It will also include professional singing guls who are poor and who go about singing to music. It will also include young students who go about seeking charity for their school-fees and for buying books. I will add an exception to this section in the following words—

Exception—But this section shall not apply to children or young persons who seek aid for mental, moral, physical or intellectual development. It shall not also apply to such classes of persons who are by profession given to acrobatic performances or who maintain themselves by music or singing.

I am quite aware of the power of exemption given to His Excellency in Council. By it certain classes of persons may be exempted, but that power will not be a safeguard for persons referred to in the exception. So long as there are no poor-houses in India, I am inclined to think that such a drastic provision as section 10 contemplates is out of place. But we come across such peculiar and hard-hearted cases that some protection is necessary and I am not inclined to delete the section altogether.

(Signed) G. B. PRADHAN

(Minute of Dissent by Mr. D. R. Patil, M.L.C.)

In my opinion clause (2) of section 10 should be deleted as it does away with the sound principle of law, namely, onus of proof should be on the prosecution.

(Signed) D. R. PATIL

(*Minute of Dissent by Mr. L. B. Bhopalkar, M. L. C.*)

The following amendments are proposed with a view to carry out more effectively the objects underlying the Bill without leaving any room for the interests of the persons concerned to be prejudiced in the least —

- (1) In clause 3, sub clause (g), after the word "hospital" which occurs in two places, add "hotel, hostel, boarding and lodging house"
- (2) In clause 7, sub clause (1) (a), after the word "regular" put a comma, and add "continuous"
- (3) In clause 7, sub-clause (1) (d), after the word "thief" add "or a person of known criminal habits"
- (4) In the proviso to clause 1, sub-clause (1), after the word "police-officer" add "below the rank of Inspector in the city of Bombay and outside of it"
- (5) In clause 7 sub-clause (3), delete "not"
- (6) I still feel that clause 10 is most likely to be abused, unless it is hedged in by necessary and salutary restrictions and limitations

Thus, in clause 10, sub-clause (1), omit the words from "whether" to "otherwise"

The wording of sub-clause (2) is rather unhappy. Also it should be such as to raise the presumption the other way. Thus I propose that the sub-clause should be as follows — "If a person having the actual charge of or control over a child or young person is charged with an offence under this section, it shall be proved that the child or young person was in any street, premises or place for any such purpose as aforesaid and that the person charged allowed the child or young person to be in the street, premises, or place for that purpose"

I propose that sub-clause (3) should be made obligatory in nature by the substitution of "shall" for "may", and for the words "any class of persons" should be substituted the words "all such classes of persons excepting professional beggars"

- (7) In the matter of the inspection of schools contemplated by clause 34, I feel that it is absolutely necessary to associate public opinion with the official element. I therefore propose that in clause 37 at the end should be added "and by the members of the Bombay Legislative Council and by such members of the Legislative Assembly and the Council of State as represent the presidency of Bombay therein"

- (8) The wording of clause 47 should be so explicit and definite as not to leave any loophole for any officer to pass an order which will even indirectly affect the religion of the child or young person concerned

I therefore propose that the words "if possible" should be deleted from clauses (1) and (2) of clause 47

- (9) In the matter of the rule-making power the select committee have certainly improved the original clause, but I think that they have not gone further enough. I therefore propose that for the words

“and shall be session ” should be substituted the words
 “and shall not come into operation unless passed at such next
 session ”

(Signed) L B BHOPATKAR

(Minute of dissent by Mr Durgdas B Adwani, M L C)

“ I am of opinion that the provisions of the bill need to be changed in some important respects

“ For instance, it is necessary that, in the case of children or young persons who are living with their parents, guardians or husbands, a report should, in the first instance, be made by a police officer not being lower in rank than a sub-inspector, to the district police officer. The district officer may depute a police officer who should not be lower in rank than an inspector, to investigate. On a satisfactory report being received, sanction to produce the child before a court should be given

“ With regard to ‘ places of safety ’, a police station should be altogether deleted from the definition. The machinery for the working of the bill should include committees drawn from the people of particular localities who should fix the places of safety for each locality, failing which the civil officer or judge of the station should do so

“ Further it should also be possible for husbands of young persons who may be married and for parents and guardians of other young persons or children to have the said children or young persons with themselves during the period of detention, where the court is satisfied on the recommendation of the committee referred to above or of other sound sureties, that the child or young person would be safe during the period of detention and would be produced in court. This will give the husbands, parents, or guardians the advantage of the doubt with regard to their behaviour towards the children or young persons, till the court is satisfied that the child should be removed from the custody of such husbands, parents or guardians ”

(Signed) D B. ADWANI

APPENDIX 58—*contd*

BILL No I OF 1924

A Bill to make further provision for the custody and protection of children and young persons and for the custody, trial and punishment of youthful offenders and for the amendment of the Reformatory Schools Act, 1897, in its application to the Presidency of Bombay

(As amended by the Select Committee.)

[Where not otherwise specified the marginal references are to the sections of the Madras Children Act, 1920]

WHEREAS it is expedient to make further provision for the custody and protection of children and young persons and for the custody, trial and punishment of youthful offenders and for the amendment of the Reformatory Schools Act, 1897, in its application to the Presidency of Bombay, and whereas the previous sanction of the Governor General required by clauses (e), (f) and (h) of sub-section (3) of section 80A of the Government of India Act has been obtained to the passing of this Act, It is hereby enacted as follows —

VIII of 1897

5 & 6 Geo V,
c 61

PART I

PRELIMINARY

1 (1) This Act may be called
Short title and extent the Bombay Children Act, 1924

(2) It extends to the whole of the
5 Presidency of Bombay

(3) Notwithstanding the introduction of this Act in any local area

the Government may by notification exclude any class of children, young persons or youthful offenders from the operation of all or any of the provisions of this Act 10

2. Section 1 shall come into operation at once
Commencement The rest of the Act shall come into operation in the City of Bombay on such date as the Governor or in Council may, by notification in the *Bombay Government Gazette*, appoint the Governor in Council may further, by notification in the *Bombay Government Gazette*, direct that the rest of the Act, or any part thereof, shall come into operation in any District or place other than the City of Bombay on such date as may be specified in such notification 5 10 15

Of.s. 3

3 In this Act, unless there is anything repugnant in the subject or context—
Interpretation clause

(a) "child" means a person under the age of fourteen years and when used with reference to a child sent to a certified school applies to that child during the whole period of his detention, notwithstanding that the child may have attained the age of fourteen years, 5 10

(b) "young person" means a person who is fourteen years of age or upwards but under the age of sixteen years, 15

(c) "youthful offender" means any person who has been convicted of an offence punishable with transportation or imprisonment and who, at the time of such conviction, was under the age of sixteen years, 20

25 (d) "certified school" means an industrial school established under sub-section (1) or certified under sub-section (2) of section 32 of this Act or any other educational institution certified in this behalf by the Governor in Council,

30 (e) "guardian" in relation to a youthful offender, child or young person includes any person who in the opinion of the court having cognizance of any proceedings in relation to the youthful offender, child or young person or in which the youthful offender, child or young person is concerned, has for the time being the actual charge of or control over the youthful offender, child or young person,

40 (f) "fit person" in relation to the care of any child or young person includes any society or body corporate established for the reception or protection of poor children or the prevention of cruelty to children,

45 (g) "place of safety" means includes any ~~police station~~ orphanage, hospital, surgery or any other suitable place the occupier of which is willing temporarily to receive a child or young person, or where such orphanage, hospital, surgery or other suitable place is not available, a police station,

50 (h) "brothel" means any house, room or place which the occupier or person in charge thereof habitually allows to be used by any other person for the purposes of prostitution, and

55 (i) "prescribed" means prescribed by rules under this Act

60 4. For the word "fifteen" in the definition of "youthful offender" of section 38 (1) of the Children Act, 1908

Amendment of section 4 of VIII of 1897

dei " in section 4 of the Reformatory Schools Act, 1897, the word "sixteen" shall be substituted

VIII
5 1897

Cf s 4

5. The powers conferred on courts by this Act ~~with the exception of the power under section 45 to inquire into the age of a person who is apparently a child or young person~~ shall be exercised only by—(a) the High Court, (b) a Court of Session, (c) a District Magistrate, (d) a Sub-divisional Magistrate, (e) a salaried Presidency Magistrate, (f) any Juvenile Court constituted under section 44, 46, and (g) any magistrate of the first or second class specially authorized by the Governor in Council to exercise all or any of such powers, and may be exercised by such courts whether the case comes before them originally or on appeal or revision

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Cf s 5

6. (1) When any magistrate not empowered to pass an order under this Act is of opinion that a child or young person brought before him or convicted by him is a proper person to be sent to a certified school or to be dealt with in any other manner in which the case may be dealt with under this Act, he shall record such opinion and submit his proceedings and forward the child or young person to the District Magistrate or Sub-divisional Magistrate to whom he is subordinate or to the magistrate presiding over the nearest juvenile court having jurisdiction in the case or in the City of Bombay to a salaried Presidency Magistrate

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(2) The magistrate to whom the proceedings are so submitted may make

such further inquiry, if any, as he may think fit and may pass such order
25 dealing with the case as he might have passed if the child or young person had originally been brought before or tried by him

PART II

MEASURES FOR THE CUSTODY AND PROTECTION OF CHILDREN AND YOUNG PERSONS WHO ARE DESTITUTE, ETC

Cf s 29

7. (1) Any police-officer or other person authorized
Children found wandering, etc in this behalf in
accordance with
5 rules made by the Governor in Council may bring before a court any person who in his opinion is a child or young person and who—

(a) is found wandering and has
10 no home, settled place of abode or visible means of subsistence, or is found wandering and has no parent or guardian ~~or has no parent or guardian~~ who exercises *regular and*
15 proper guardian-ship, or

(b) is found destitute and his parents or surviving parent or other guardian, or in the case of an illegitimate child his mother or other guardian, are or is, as the case may be,
20 undergoing transportation or imprisonment, or

(c) is under the care of a parent or guardian who, by reason of criminal or drunken habits, is unfit to have
25 the care of such person, or

(d) frequents the company of any reputed thief or prostitute or,

(e) is lodging or residing in a house
~~or part of a house used by a prostitute~~ 30
 for the purposes of prostitution or
~~is otherwise living in circumstances~~
~~calculated to cause, encourage or favour~~
~~the seduction or prostitution of such~~
 person, 35

Provided that no police-officer below
 the rank of sub-inspector shall bring
 before a court under this sub-section a
 child who has a parent or legal guar- 40
 dian who has the actual charge of or
 control over the child

(2) *The court before which a child is
 brought as coming within one of these
 descriptions shall examine the informa- 45
 tion and record the substance of such
 examination and shall if it thinks that
 there are sufficient grounds for inquiry
 further fix a date for such inquiry*

(3) *On the date fixed for the production
 of the child or for the inquiry or on 50
 any subsequent date to which the proceed-
 ings may be adjourned the court shall
 hear and record all evidence which may
 be adduced and consider any cause which
 may be shown why an order sending the 55
 child to a certified school should not be
 passed and make any further inquiry
 it thinks fit*

(2) (4) If the court is satisfied on the
 inquiry that such person is a child 60
 and is as above described and that it is
 expedient so to deal with him, the
 court may order him to be sent to a
 certified school

(3) (5) Instead of ordering such person 65
 child to be sent to a certified school the
 court may in the prescribed manner
 order him to be committed to the care
 of a relative or other fit person named
 by the court (such relative or other 70

person being willing to undertake such care) until he attains the age of sixteen years or for any shorter period

(4) (6) ~~Any police officer as afore-~~
~~said or other person authorised as~~ 75
~~stated may similarly bring before a~~
~~court any person who in his opinion~~
~~is a young person and who is as~~
~~above described in one or other of~~
~~the clauses (a) to (e) of sub-section~~ 80
~~(f) apparently of the age of fourteen~~
~~or sixteen years and if~~ If the Court is
satisfied on *the* inquiry that such per-
son is a young person and is as above
described and that it is expedient so to 85
deal with him, the court may in the
prescribed manner order him to be
committed to the care of a relative or
other fit person named by the court
(such relative or other person being 90
willing to undertake such care) until
he attains the age of sixteen years or
any shorter period

(5) (7) The court which makes an
order committing a person to the care 95
of a relative or other fit person under
this section may, in addition, order
that he be placed under the super-
vision of a person named by the court

8 Where the parent or guardian *Of s 30*
of a child proves
Uncontrollable to a court that
children he is unable to
control the child, and that he desires 5
the child to be sent to a certified
school, the court, if satisfied on inquiry
that it is expedient so to deal with the
child and that the parent or guardian
understands the results which will 10
follow, may order him to be sent to
any such school.

OFFENCES AGAINST CHILDREN AND YOUNG PERSONS AND THEIR PRE- VENTION

9. (1) Whoever having the actual charge of or control over a child or young person ~~assaults, ill-treats,~~ abandons, exposes or wilfully neglects *or ill-treats* such child or young person in a manner likely to cause such child or young person unnecessary suffering or injury to his health shall be punishable with imprisonment of either description for a term which may extend to ~~two years six months~~ or with fine which may extend to ~~one thousand~~ *two hundred* rupees or with both.

(2) For the purposes of this section injury to health includes injury to, or loss of, sight or hearing and injury to limb or organ of the body and any mental derangement, and a parent or other person legally liable to maintain a child or young person shall be deemed to have neglected him in a manner likely to cause injury to his health if he *wolfully* fails to provide adequate food, clothing, medical aid or lodging for the child or young person

(3) A person may be convicted of an offence under this section notwithstanding that actual suffering or injury to health was obviated by the action of another person

35 (4) Nothing in this section shall be construed to take away or affect the right of any parent, teacher or other person having the lawful control or charge of a child or young person to

administer punishment to such child
or young person 40

10 (1) Whoever *for his own pro-
fit* causes any child
or young person,
Causing or allowing
child or young person
to beg or having the
actual charge of or
control over a child or young person
allows that child or young person to be
in any street, premises or place for the
purpose of begging or receiving alms,
or of inducing the giving of alms,
whether or not there is a pretence of
singing, playing, performing, offering
anything for sale, or otherwise, shall
be punishable with imprisonment of
either description for a term which
may extend to three months or with
fine which may extend to one hundred
rupees or with both 5 10 15

Of The Chil-
dren Act,
1908, s. 14,

(2) If a person having the actual
charge of or control over a child or
young person is charged with an
offence under this section and it is
proved that the child or young person
was in any street, premises or place
for any such purpose as aforesaid and
that the person charged allowed the
child or young person to be in the
street, premises or place, he shall be
presumed to have allowed him to be
in the street, premises or place
for that purpose unless the contrary
is proved 20 25 30

(3) The Governor in Council may
by notification in the *Bombay
Government Gazette* exempt from
liability to punishment under this
section any class of persons in any
district or place where this Act may
be in operation 35

*Cf. The Child
dren Act
1908, s. 16*

11. Whoever having the actual charge of or control over a child or young person between the ages of four and sixteen allows that child or young person to reside in or frequent a brothel shall be punishable with imprisonment of either description for a term which may extend to ~~six months~~ *two years* or with fine which may extend to ~~two hundred one thousand~~ *one thousand* rupees or with both

*Cf. s. 17 of
the Child
dren Act,
1908 as
subs o q u
ently ame
nded*

- 12 (1) Whoever having the actual charge of or control over a girl under the age of sixteen years causes or encourages the seduction or prostitution of that girl or causes or encourages any one other than her husband to have sexual intercourse with her shall be punishable with imprisonment of either description for a term which may extend to ~~two~~ *three* years and *shall also be liable to fine*

- (2) For the purposes of this section a person shall be deemed to have caused or encouraged the seduction or prostitution of, or the unlawful sexual intercourse with a girl who has been seduced or become a prostitute or with whom such sexual intercourse has been had if he has knowingly allowed the girl to consort with, or to enter or continue in the employment of any prostitute or person of known immoral character

- 13 *If it appears to a court on the complaint of any person that a girl under the age of sixteen is being treated with cruelty by her parent or guardian or that such girl*

*Young girls exposed to
risk of seduction, etc., or
cruelly treated*

with the knowledge of her parent or guardian is exposed to the risk of seduction or prostitution or having a life of prostitution the court may direct the parent or guardian to enter into a recognizance to exercise due care and supervision in respect of such girl

10

13 14 (7) Any police-officer, not below the rank of Sub-Inspector or a police officer or

Detention of child or young person in place of safety

Of The Children Act 1908, s. 20

a person authorised in this behalf in accordance with rules made by the Governor in Council may take to a place of safety any child or young person in respect of whom an offence punishable under this act or under Chapter XVI of the Indian Penal Code, 1860, has been, or there is reason to believe has been, committed

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XLV of 1860

(2) A child or young person so taken to a place of safety and also any child or young person who seeks refuge in a place of safety may there be detained until he can be brought before the court *but such detention shall not in the absence of a special order of the court exceed a period of twenty-four hours exclusive of the time necessary for the journey from the place of detention to the court* and the court may make such order as is mentioned in the next following sub-section or may cause the child or young person to be dealt with as circumstances may admit and require until the charge made against any person in respect of any offence as aforesaid with regard to the child or young person has been determined by the conviction, discharge or acquittal of such person

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(3) Where it appears to the court that an offence as aforesaid has been committed in respect of any child or young person who is brought before

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the court and that it is expedient in the interests of the child or young person that an order should be made under this sub-section, the court may make such order as circumstances may admit and require for the care and detention of the child or young person until a reasonable time has elapsed for a charge to be made against some person for having committed the offence and if a charge is made against any person within that time, until the charge has been determined by the conviction, discharge or acquittal of that person and in case of conviction for such further time not exceeding one month as the court which convicted may direct and any such order may be carried out notwithstanding that any person claims the custody of the child or young person

*Gf The Children Act,
1908, s 21*

14 15 (1) Where any person having the actual charge of or control over a child or young person by order of court

5 person has been —

(a) convicted of committing in respect of such child or young person an offence punishable under this Act or under Chapter XVI of the Indian Penal Code, 1860, or

XLV of 1860

10 (b) committed for trial for any such offence, or

(c) bound over to keep the peace towards such child or young person by any court, that court may either at the time when the person is so convicted, committed for trial or bound over at any other time, order that the child or young person be taken out of the charge and control of the person so convicted, committed for trial or bound over and be committed to the care of a relative

of the child or young person or
other fit person named by the court 25
(such relative or other person being
willing to undertake such care) until
he attains the age of sixteen years
or for any shorter period and that
court or any court of like jurisdiction 30
may, of its own motion or on the
application of any person, from time
to time by order renew, vary and
revoke any such order

(2) The court which makes an order 35
committing a child or young person to
the care of a relative or other fit
person under this section may, in
addition, order that the child or young
person be placed under the supervision 40
of a person named by the court

(3) If the child or young person has
a parent or legal guardian, no order
shall be made under this section unless
the parent or legal guardian has been 45
convicted of or committed for trial for
the offence or is under committal for
trial for having been, or has been
proved to the satisfaction of the court
making the order to have been, party 50
or privy to the offence or has been
bound over to keep the peace towards
the child or young person or cannot be
found

(4) Every order under this section 55
shall be in writing and any such order
may be made by the court in the
absence of the child or young person ,
and the consent of any person to under-
take the care of the child or young 60
person in pursuance of any such order
shall be taken in such manner as the
court may think sufficient to bind him

(5) Where an order is made under
this section and the conviction or order 65
binding the person to keep the peace
is set aside or the person is acquitted,

the order shall forthwith be void except
with regard to anything that may have
70 been lawfully done under it

(6) In the case of a child the court
may, instead of ordering the child to
be committed to the care of a relative
or other fit person, order that the child
75 shall be sent to a certified school

of the Child
Protection Act,
1908, s. 24

15 16 (1) If it appears to a ~~court~~
magistrate duly
empowered under
this Act from
information on
5 *oath or solemn affirmation* laid by
any person who in the opinion of the
~~court~~ *magistrate* is acting in the interests
of a child or young person, that there
10 is reasonable cause to suspect that—

(a) the child or young person
has been or is being ~~assaulted~~,
wilfully ill-treated or neglected in
any place within its jurisdiction
15 in a manner likely to cause the child
or young person unnecessary suffer-
ing or to be injurious to his health,
or

(b) that an offence punishable
20 under this Act or under Chapter
XVI of the Indian Penal Code, 1860, ^{XLV of 1860}
has been or is being committed in
respect of the child or young person,

the ~~court~~ *magistrate* may issue a war-
25 rant authorizing any police-officer
named therein to search for such child
or young person and if it is found that
he has been or is being ~~assaulted~~,
wilfully ill-treated or neglected in man-
30 ner aforesaid or that any offence a-
foresaid has been or is being com-
mitted in respect of the child or young
person, to take him to and detain him
in a place of safety until he can be
35 brought before the ~~court~~ *magistrate*, or
authorizing any police-officer to remove

the child or young person, with or without search, to a place of safety and detain him there until he can be brought before the ~~court~~ *magistrate*, and the ~~court~~ *magistrate* before whom the child or young person is brought may commit him to the care of a relative or other fit person in like manner as if the person in whose charge or control he was had been committed for trial for an offence punishable under this Act

(2) ~~A court issuing a warrant under this section may by the same warrant cause any person accused of any offence in respect of the child or young person to be apprehended and brought before the court~~

(2) *A magistrate issuing a warrant under this section may in his discretion by the same warrant direct that any person accused of any offence in respect of the child or young person be apprehended and brought before him, or direct that if such person executes a bond with sufficient sureties for his attendance before the magistrate at a specified time and thereafter until otherwise directed by the magistrate the officer to whom the warrant is directed shall take such security and shall release such person from custody*

(3) The police-officer executing the warrant shall be accompanied by the person laying the information if such person so desire, and may also, if the ~~court~~ *magistrate* by whom the warrant is issued so directs, be accompanied by a duly qualified medical practitioner

(4) ~~It shall not be necessary in~~ *In* any information or warrant under this section ~~to~~ *the* name of the child or young person *shall be given if known*

- 17 (1) If in any case in which an
 Compensation for false information has
 and frivolous or vexatious been laid by
 information any person under
- 5 the provisions of section 16 the magistrate
 after such inquiry as he may deem
 necessary is of opinion that such inform-
 ation was false and either frivolous or
 10 vexatious the magistrate may for reasons
 to be recorded in writing direct that com-
 pensation to such an amount not exceed-
 ing one hundred rupees as he may deter-
 mine be paid by such informer to the
 15 person against whom the information
 was laid
- (2) Before making any order for the
 payment of compensation the magistrate
 shall call upon the informer to show cause
 20 why he should not pay compensation and
 shall consider any cause which such
 informer may show
- (3) The magistrate may by the order
 directing payment of the compensation
 further order that in default of payment
 25 the person ordered to pay such compen-
 sation shall suffer simple imprisonment
 for a period of 30 days
- (4) When any person is imprisoned
 under sub-section (3) the provisions of
 30 sections 68 and 69 of the Indian Penal Code, 1860, shall so far as may be apply
- (5) No person who has been directed
 to pay compensation under this section
 shall by reason of such order be exempted
 35 from any civil or criminal liability in
 respect of the information given by him
 but any amount paid as compensation
 shall be taken into account in any subse-
 quent civil suits relating to such matter
- 10 (6) An informer who has been ordered
 to pay compensation exceeding fifty
 rupees may appeal from the order as if
 such informer had been convicted on a

trial held by the magistrate directing the payment of compensation 45

(7) *When an order for the payment of compensation is made in a case which is subject to appeal under sub-section (6) the compensation shall not be paid to the person ordered to receive it before the period allowed for the presentation of the appeal has elapsed or if an appeal is presented before the appeal has been decided and where such order is made in a case which is not subject to appeal the compensation shall not be paid before the expiration of one month from the date of the order* 50 55

PART IV

YOUTHFUL OFFENDERS

16 28 *Where a person apparently under the age of sixteen years is arrested on a charge of a non-bailable offence and cannot be brought forthwith before a court, the officer in charge of the police station to which such person is brought shall may in any case and shall unless the charge is one of culpable homicide or any other offence punishable with death or transportation release him on bail if sufficient security is forthcoming, unless for reasons to be recorded in writing the officer believes that such release would defeat the ends of justice or that the release of such person would bring him into association with any reputed criminal* Cf. s. 18 5 10 15

Provided that when any girl apparently under the age of sixteen years is arrested the officer in charge of a police station who has made the arrest or before whom the girl is produced shall release her at once if any person who in his 20 25

opinion is a sufficient surety enters into a bond for such sum of money as the officer considers sufficient to produce her before the court and to appear in her stead if required at the police station

17 19 Where a person apparently under the age of sixteen years having been arrested is not released under section 16

Custody of children and young persons not discharged on bail after arrest

18 or otherwise, the officer in charge of the police station shall cause him to be detained in the prescribed manner, until he can be brought before a court

Of s 18

18 20 A court, on remanding or committing for trial a child or

Remand or committal to custody

5 is not released on bail, shall order him to be detained in the prescribed manner

Of s 19

19 21 (1) Where a child or young person is charged with any offence or where a child is brought before a court on an

Attendance at court of parent of child or young person charged with an offence, etc

10 application for an order to send him to a certified school, his parent or guardian may in any case, and shall, if he can be found and resides within a reasonable distance and the person so charged or brought before the court is a child, be required to attend at the court before which the case is heard during all the stages of the proceedings, unless the court is satisfied that it would be unreasonable to require his attendance

20 (2) Where the child or young person is arrested, the officer in charge of the police station to which he is brought shall cause the parent or guardian

of the child or young person, if he can be found, to be warned to attend at the court before which the child or young person will appear 25

(3) The parent or guardian whose attendance shall be required under this section shall be the parent or guardian having the actual charge of or control over the child or young person 30

Provided that if that person is not the father, the attendance of the father may also be required 35

(4) The attendance of the parent of a child or young person shall not be required under this section in any case where the child or young person was before the institution of the proceedings removed from the custody or charge of his parent by an order of a court 40

(5) *Nothing in this section shall be deemed to require the attendance of the mother or the female guardian of a child or young person if such mother or female guardian does not according to the customs and manners of the country appear in public, but any such person may appear before the court by a pleader or agent* 45 50

20 22 Notwithstanding anything to the contrary
Sentences that may not be passed on a child or young person contained in any law no child or young person shall be sentenced to death or transportation or committed to prison 5

Provided that a young person may be committed to prison where the court certifies that he is of so unruly or of so depraved a character that he is not a fit person to be sent to a reformatory school and that none of 10

- the other methods in which the case
 15 may legally be dealt with is suitable
- cf* ■ 23 21 23 (1) Where a child is found
 to have committed
 an offence punish-
 able with trans-
 5 portation or imprisonment, the court,
 if satisfied on inquiry that it is ex-
 pedient so to deal with the child, may
 order him to be sent to a certified
 school
- 10 (2) Where a child has been ordered
 by a court to give security under
 section 106 or section 118 of the Code
 of Criminal Procedure, 1898, and has V of 1898
 15 failed to do so, the court which passed
 the order may order such child to be
 sent to a certified school
- (3) Where prior to the commence-
 ment of this Act a youthful offender
 20 has been sentenced to transportation
 or imprisonment, the Governor in Coun-
 cil may direct that in lieu of under-
 going or completing such sentence,
 he shall, if under the age of fourteen
 25 years, be sent to a certified school, and
 thereupon the offender shall be sub-
 ject to all the provisions of this Act
 as if he had been originally sentenced
 to detention in such school
- cf* ■ 25 22 24 A court may, if it shall
 think fit, instead
 of directing any
 youthful offender
 5 Power to discharge
youthful offender or to
commit him to suitable
custody to be detained in
 a certified school, order him to be—
 (a) discharged after due admoni-
 tion, or
 (b) committed to the care of his
 10 parent or guardian or other adult
 relative or other fit person on such
 parent, guardian, relative or person
 executing a bond, with or without

sureties, as the court may require, to be responsible for the good behaviour of the youthful offender for any period not exceeding twelve months, and the court may in either case pass a further order that the youthful offender be placed under the supervision of a person named by the court

15

20

23 25 (1) Where a child or young

Of s. 26

Power to order parent to pay fine etc, instead of child or young person

person is convicted of an offence punishable with fine and the court

5

is of opinion that the case would be best met by the imposition of a fine, whether with or without any other punishment, the court may in any case, and shall if the offender is a child, order that the fine be paid by the parent or guardian of the child or young person, unless the court is satisfied that the parent or guardian cannot be found or that he has not conduced to the commission of the offence by neglecting to exercise due care of the child or young person

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(2) An order under this section may be made against a parent or guardian who, having been required to attend has failed to do so, but, save as aforesaid, no such order shall be made without giving the parent or guardian an opportunity of being heard

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(3) Where a parent or guardian is directed to pay a fine under this section the amount may be recovered in accordance with the provisions of the Code of Criminal Procedure, 1898

30

1898

(4) A parent or guardian may appeal against any such order as if it had been an order passed in proceedings against himself

Of. 27

24 26 (1) When a child or young person is convicted of an offence of so serious a nature that the court is of opinion that no punishment which under the provisions of this Act or of the Reformatory Schools Act, 1897,^{VIII of 1897} it is authorized to inflict is sufficient, the court shall order the offender to be kept in safe custody in such place or manner as it thinks fit and shall report the case for the orders of the Governor in Council

15 (2) Notwithstanding the provisions of section 20 22, the Governor in Council may order any such child or young person to be detained in such place and on such conditions as he thinks fit, and while so detained the child or young person shall be deemed to be in legal custody

25 Provided that no period of detention so ordered shall exceed the maximum period of imprisonment to which the child or young person could have been sentenced for the offence committed

Of. 28

25 27 Where a child or young person charged with any offence is tried by any court, and the court is satisfied of his guilt, the court shall take into consideration the manner in which, under the provisions of this or any other Act enabling the court to deal with the case, the case should be dealt with, namely, whether,

(a) by discharging the offender after due admonition, or

15 (b) by committing the offender to the care of his parent, guardian, other adult relative or other fit person on

such parent, guardian, relative or person executing a bond to be responsible for his good behaviour, or	
(c) by so discharging or committing the offender and placing him under the supervision of a person named by the court, or	20
(d) by sending the offender to a certified school, or	25
(e) by sending the offender to a reformatory school, or	
(f) by ordering the offender to be whipped, or	
(g) by ordering the offender to pay a fine, or	30
(h) by ordering the parent or guardian of the offender to pay a fine, or	
(i) where the offender is a young person, by sentencing him to imprisonment, or	35
(j) by dealing with the case in any other manner in which it may legally be dealt with	40
Provided that nothing in this section shall be construed as authorizing the court to deal with any case in any manner in which it could not deal with the case apart from this section	45

PART V

MAINTENANCE AND TREATMENT OF PERSONS SENT TO CERTIFIED SCHOOLS OR COMMITTED TO THE CARE OF RELATIVES OR OTHER FIT PERSONS

26	28	(1) The court which makes an order for the detention of a child or youthful offender in a certified school or for the committal of a child or young person or youthful offender to the care of a relative or other fit	Of s 31
		Contribution of parent	5

person may make an order on the parent or other person liable to maintain the child, young person or youthful offender, to contribute to his maintenance, if able to do so, in the prescribed manner

(2) *The court before making any order under sub-section (1) shall inquire into the circumstances of the parent or other person liable to maintain the youthful offender, child or young person and shall record the evidence if any in the presence of the parent or such other person as the case may be or when his personal attendance is dispensed with in the presence of his pleader*

(2) (3) Any order made under this section may from time to time be varied by the court

(3) (4) The persons liable to maintain a child, young person or youthful offender shall for the purposes of sub-section (1) include in the case of illegitimacy his putative father

Provided that where the child, young person or youthful offender is illegitimate and an order for his maintenance has been made under section 488 of the Code of Criminal Procedure, 1898, ^{V of 1898} the court shall not ordinarily make an order for contribution against the putative father but may order the whole or any part of the payments accruing due under the said order for maintenance to such person or persons as may be named, to be applied by him or them, as the case may be, towards the maintenance of the child, young person or youthful offender

(4) (5) Any order under this section may be enforced in the same manner as an order under section 488 of the Code of Criminal Procedure, 1898 ^{V of 1898}

27. 29 The managers of a certified school to which a child under the age of eight years is sent may, with the consent of the chief inspector, board the child out with any suitable person until the child reaches the age of ten years and thereafter for such longer period, with the consent of the chief inspector, as the managers consider to be advisable in the interests of the child, subject to the exercise by the managers of such powers as to supervision, recall, and otherwise as may be prescribed, and where a child is so boarded out he shall nevertheless be deemed for the purposes of this Act to be a child detained in the school, and the provisions of this Act shall apply accordingly, subject to such necessary adaptations as may be made by the Governor in Council

Cf s 32

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28. 30 (1) Where a child or youthful offender is detained in a certified school, the managers of the school may at any time with the consent of the chief inspector, or after the expiration of eighteen months of the period of detention without any such consent, by licence permit the child or youthful offender on the conditions prescribed in this behalf to live with any trustworthy and respectable person named in the licence willing to receive and take charge of him

Cf s 33

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(2) Any licence so granted shall be in force until revoked or forfeited by the breach of any of the conditions on which it was granted

15

(3) The managers of the school may at any time by order in writing revoke any such licence, and order the child or youthful offender to return to

20

the school and shall do so at the desire
of the person with whom the child or
25 youthful offender is licensed to live
If the child or youthful offender refuses
or fails to return to the school, the
managers of the school may, if neces-
sary, arrest, or cause to be arrested the
30 child or youthful offender and take
him or cause him to be taken back to
the school

(4) When a licence has been
revoked or forfeited and the child or
35 youthful offender refuses or fails to
return to the school, the court may, if
satisfied by information on solemn
affirmation that there is reasonable
ground for believing that his parent
40 or guardian could produce the child
or youthful offender, issue a summons
requiring the parent or guardian to
attend at the court on such a day as
may be specified in the summons and
45 to produce the child or youthful
offender, and, if he fails to do so
without reasonable excuse, he shall,
in addition to any other liability to
which he may be subject under the
50 provisions of this Act, be punished
with a fine which may extend to fifty
rupees

(5) Where a parent or guardian is
directed to pay a fine under this
55 section the amount may be recovered
in accordance with the provisions of
the Code of Criminal Procedure, 1898 V of 1898

(6) The time during which a child
or youthful offender is absent from a
60 certified school in pursuance of a
license under this section shall be
deemed to be part of the time of his
detention in the school provided that,
where a child or youthful offender has
65 failed to return to the school on the

licence being revoked or forfeited, the time which elapses after his failure so to return shall be excluded in computing the time during which he is to be detained in the school 70

29. 31 Whoever— *Cf s 34*

(a) knowingly assists or induces, *Penalty for abetting directly or indirectly, a child or youthful offender* 5
 detained in or placed out on licence from a certified school to escape from the school or from any person with whom he is placed out on licence, or any child or young person to escape from the person to whose care he is committed under the provisions of this Act, 10

(b) knowingly harbours, conceals, or prevents from returning to school, or to any person with whom he is placed out on licence or to whose care he is committed under this Act, a child, young person or youthful offender, who has so escaped, or knowingly assists in so doing shall be punishable with imprisonment of either description for a term which may extend to two months or with a fine which may extend to two hundred rupees, or with both 15 20 25

30 32 The period for which a child or youthful offender is to be detained in a certified school shall be specified in the order in pursuance of which he is sent there and shall be such period as to the court may seem proper for his teaching and training but not in any case extending beyond the time when he will, in the opinion of the court, attain the age of sixteen years. *Cf s 24,* 5 10

Of s 35

31 33 (1) The Governor in Council

Discharge and transfer

cil may at any
time order a child

5 or youthful offender to be discharged
from a certified school, either absolutely
or on such conditions as the Governor
in Council approves

(2) The Governor in Council may
order—

10

(a) a child over the age of twelve
years detained in a certified school,
who is found to be exercising an
evil influence over the other children
15 in the school or who is guilty of a
serious breach of the rules of the
school or of escaping from the
school, to be transferred to a refoi-
matory school,

20

(b) a youthful offender under the
age of fourteen years detained in a
reformatory school to be transferred
to a certified school,

25

(c) a child or youthful offender
to be transferred from one certified
school to another

Provided that the whole period of
the detention of the child or youthful
offender shall not be increased by the
transfer

30

(3) The Governor in Council may
at any time in his discretion discharge
a child or young person from the care
of any person to whose care he is com-
mitted under this Act, either absolutely
35 or on such conditions as the Governor
in Council approves, and may if he
thinks fit, make rules in relation to
children or young persons so com-
mitted to the care of any person and
40 to the duties of such persons with
respect to such children or young
persons

PART VI.

CERTIFIED SCHOOLS AND OTHER INSTITUTIONS

32	34	(1) The Governor in Council may establish and maintain industrial schools for the reception of children and youthful offenders	Of s 6
Establishment and certification of schools			5
		(2) The Governor in Council may certify that any industrial school or other educational institution not established under sub-section (1) is fit for the reception of children or youthful offenders	10
33	35	(1) For the control and management of every school established under sub-section (1) of section 32, 34 a superintendent and a committee of visitors shall be appointed by the Governor in Council and such superintendent and committee shall be deemed to be the managers of the school for the purposes of this Act	Of s 7
Management of schools			5
		(2) Every school certified under sub-section (2) of section 32, 34 shall be under the management of a governing body who shall be deemed to be the managers of the school for the purposes of this Act	10
			15
34	36	(1) The Governor in Council may appoint a chief inspector of certified schools and such number of inspectors and assistant inspectors as he thinks advisable to assist the chief inspector, and every person so appointed to assist the chief inspector shall have such of the powers and duties of the chief inspector as the Governor in	Of s 8
Inspection of schools			5
			10

Council directs but shall act under the direction of the chief inspector

- (2) Every certified school shall, at least once in every ~~year~~ *six months*,
 15 be inspected by the chief inspector of certified schools, or by an inspector or assistant inspector, provided that where any such school is for the
 20 reception of girls only and such inspection is not made by the chief inspector, the inspection shall where practicable be conducted by a woman

Of s 9

- 35 37 A certified school shall be
 Power of inspectors liable to inspection at all times
 and in all its departments by the chief
 5 inspector and by the inspector and assistant inspector

Of s 10

- 36 38 Any registered medical
 Medical inspection practitioner em-
 powered in this
 behalf by the Governor in Council may
 5 visit any certified school at any time with or without notice to its managers in order to report to the chief inspector on the health of the inmates and the sanitary condition of the school

Of s 11

- 37 39 The Governor in Council, if dissatisfied with the condition,
 Power of Governor in Council to withdraw certificate rules, manage-
 5 ment or superintendence of a certified school, may at any time by notice served on the managers of the school declare that the certificate of the school is with-
 10 drawn as from a time specified in the notice and at that time the withdrawal of the certificate shall take effect and the school shall cease to be a certified school

- 15 Provided that the Governor in Council may, if he thinks fit, instead of so

withdrawing the certificate by notice served on the managers of the school, prohibit the admission of children or youthful offenders to the school for such time as may be specified in the notice or until the notice is revoked 20

Provided also that before the issue of notice under this section or under the first proviso thereto a reasonable opportunity shall be given to the managers of the school to show cause why the certificate shall not be withdrawn or admission to the school shall not be prohibited as the case may be 25 30

88 40 The managers of a certified school may, on giving six months' notice in writing to the Governor in Council through the chief inspector of their intention so to do, resign the certificate of the school and accordingly at the expiration of six months from the date of the notice, unless before that time the notice is withdrawn, the resignation of the certificate shall take effect, and the school shall cease to be a certified school 5 10

89 41 A child or youthful offender shall not be received into a certified school in pursuance of this Act after the date of the receipt by the managers of the school of a notice of withdrawal of the certificate or after the date of a notice of resignation of the certificate, but the obligation hereinafter mentioned of the managers to teach, train, lodge, clothe, and feed any children or youthful offenders detained in the school at the respective dates aforesaid shall, except so far as the Governor in Council otherwise directs, continue until the withdrawal 5 10 15

Of s 12

Of s 13

Effect of withdrawal
or resignation of certificate

Effect of withdrawal
or resignation of certificate

or resignation of the certificate takes effect

Of s 14

40 42 When a school ceases to be a certified school,

Disposal of inmates
on withdrawal or resigna-
tion of certificate the children or
youthful offenders

5 detained therein

shall be either discharged *absolutely*
or on such conditions as the Governor in
Council may impose or transferred by
order of the Governor in Council to
10 some other certified school in accord-
ance with the provisions of this Act
relating to discharge and transfer

Of s 15

41 43 The Governor in Council may establish au

Auxiliary homes

xiliary homes for

the reception of any inmates or any

5 classes of inmates of certified schools or

may certify any other such home here-

tofore established or which hereafter

may be established by any other

agency, and the certificate may be with-

10 drawn or resigned in like manner as a

certificate of a school and every such

home shall, for such purposes as are

specified by the Governor in Council,

be treated as part of the school

15 or schools to which it is attached

Of s 16

42 44 The managers of a certi

Liabilities of managers

fied school not

established by the

Governor in Council may decline to

5 receive any child or youthful offender

proposed to be sent to them in

pursuance of this Act, but when they

have once accepted any such child or

youthful offender, they shall be deemed

10 to have undertaken to teach, train,

lodge, clothe, and feed him during the

whole period for which he is liable

to be detained in the school, or until

the withdrawal or resignation of the

15 certificate of the school

- 43 45 (1) The Governor in Council
 Inspection of institu- may cause any
 tions for reception of institution for the
 poor children reception of poor
 children or young persons supported 5
 wholly or partly by voluntary contri-
 butions, and not liable to be inspected
 by or under the authority of any
 Government department, to be visited
 and inspected from time to time by 10
 persons appointed by it for the pur-
 pose of *securing the health and welfare*
of the children and the sanitation of
the premises
- (2) Any person so appointed shall 15
 have power to enter the institution
 at all reasonable hours and to make a
 complete inspection thereof and of all
 papers, registers and accounts relating
 thereto Any person who obstructs 20
 him in the execution of his duties
 shall be liable on conviction to a fine
 not exceeding fifty rupees
- (3) Where any such institution is 25
 carried on in accordance with the
 principles of any particular religious
 denomination, the Governor in Council
 shall, if so desired by the managers of
 the institution, appoint, where prac-
 ticable, a person of that denomina- 30
 tion to visit and inspect the institu-
 tion
- (4) Where any such institution is
 for the reception of girls only, the
 inspection shall, where practicable, be 35
 conducted by a woman

PART VII

JUVENILE COURTS

- 44 46 (1) The Governor in Coun- *of s 36*
 cil may provide
 Juvenile Courts for the establish-
 ment in any area of one or more

- 5 separate courts for the conduct of proceedings under this Act at which the attendance of the child or young person is required
- 10 (2) Where no such separate court has been established the court before which a child or young person is brought shall unless the child or young person is tried jointly with any other person not being a child or young person,
- 15 person, whenever practicable, sit either in a different building or room from that in which the ordinary sittings of the court are held or on different days or at different times from those at which
- 20 the ordinary sittings are held

PART VIII

MISCELLANEOUS

Of s- 37

- 45 —(1)—Where a person, whether charged with an offence or not is brought before any court otherwise than
- 5 ~~for the purpose of giving evidence, and it appears to the court that he is a child or young person, the court shall make due inquiry as to the age of that person and for that purpose shall take such evidence as may be forthcoming at the hearing of the case, but an order or judgment of the court shall not be invalidated by any subsequent proof that the age of that person has not been correctly stated to the court, and the age presumed or declared by the court to be the age of the person so brought before it shall, for the purposes of this~~
- 10 ~~Act, be deemed to be the true age of that person, and, where it appears to the court that the person so brought before it is of the age of sixteen years or upwards, the person shall for the purposes~~
- 15 ~~of this Act, be deemed to be of the age of sixteen years or upwards, if it appears to the court that the person is of the age of sixteen years or upwards.~~
- 20

~~of this Act be deemed not to be a child or young person~~ 25

~~(2) No court shall in appeal or revision interfere with any presumption or declaration as to age made under subsection (1)~~ 30

46 47 (1) In determining the certified school to which a child or youthful offender is to be sent under this Act, the court shall endeavour to ascertain the religious denomination of the child or youthful offender and shall, if possible, select a school in which facilities are afforded for instruction in his religion 38 5 10

(2) In determining on the person to whose care the child or young person shall be committed under this Act, the court shall endeavour to ascertain the religious denomination of the child or young person and shall, if possible, select a person of the same religious denomination or a person who gives such undertaking as seems to the court sufficient that the child or young person will be brought up in accordance with the religion of the child or young person and such religion shall be specified in the order 15 20

(3) In any case where the child or young person has been committed pursuant to any such order to the care of a person who is not of the religious denomination of the child or young person or who has not given such undertaking as aforesaid the court which made the order or any court of like jurisdiction shall, on the application of any person in that behalf and on its appearing that a fit person of the religious denomination of the child or young person or who will give such undertaking as aforesaid is willing 25 30 35

40 to undertake the care of the child or
young person, make an order committing him to the care of such fit person

15 (4) Where a child or a youthful offender is boarded at or is permitted by licence to live with any other person the manager of the school shall select for this purpose a person of the same religion as the child or youthful offender or a person who gives a satisfactory undertaking that the child or the youthful offender shall be brought up in accordance with the religion of such child or youthful offender

55 (4) (5) Where a child or young person has been committed to the care of a person who gives an undertaking as aforesaid but the undertaking is not observed, the child or young person shall be deemed to have been committed to the care of a person not of his religious denomination who has given no such undertaking

Of s 39

47 48 The conviction of a child or young person shall not be regarded as a conviction for the purposes of any disqualification attaching to a conviction for any offence

Of s 40

48 49 Any person to whose care a child or young person is committed under the provisions of this Act shall, while the order is in force, have the like control over the child or young person as if he were his parent, and shall be responsible for his maintenance, and the child or young person shall continue in his care notwithstanding that he is claimed by his parent or any other person

	40	50	The provisions of Chapter XLII of the Code of Criminal Procedure, 1898, shall, so far as may be, apply to bonds taken under this Act	<i>Of s 41</i>
of 1898	Bonds taken under the Act			5
	50	51	(1) An appeal from an order made by a court under sections 7, 8, 9, 10, 11, 12, 14, 15, 24, 26, 28, or 28, 30 or 47 shall lie	<i>Of s 42</i>
	Appeals			5
			(a) if passed by a juvenile court or by any Magistrate other than a District or Presidency Magistrate, to a District Magistrate,	
			(b) if passed by a District Magistrate, any Magistrate not being a Presidency Magistrate, to the court of Session, and	10
			(c) if passed by a Court of Session or a Presidency Magistrate, to the High Court	15
			(2) No appeal shall lie from any order passed in any such appeal	
			(3) Any order passed under the provisions of this Act and not subject to appeal under sub-section (1) may be revised by the High Court	20
	51	52	(1) The Governor in Council may make rules for the purpose of carrying into effect the provisions of this Act	<i>Of s 44</i>
	Rules			5
			(2) In particular, and without prejudice to the generality of the foregoing, such rules may be made with regard to	
			(a) the establishment and maintenance of certified schools and auxiliary homes and the certification of schools as certified schools and of auxiliary homes,	10

- 15 (b) the management of certified schools and auxiliary homes ,
 (c) the appointment of visitors and their tenure of office ,
 (d) the inspection of certified
20 schools ,
 (e) the maintenance, education and industrial training of the inmates of certified schools ,
 (f) the conveyance of youthful
25 offenders and children to certified schools ,
 (g) the grant of permission to the inmates of certified schools to absent themselves for short periods ,
30 (h) visits to and communication with the inmates of certified schools ,
 (i) the punishment of offences committed by the inmates of certified schools ,
35 (j) the inspection of the institutions referred to in section 43 45 ,
 (k) the manner of detention of children and young persons under arrest or remanded or committed
40 for trial ,
 (l) the procedure to be adopted in any case or inquiry under this Act before any court other than a juvenile court ,
45 (m) the persons who may be authorized to act under section 7 or 13 14 ,
 (n) the manner in which a child or young person may be committed to the care of a relative or other fit person, and the duties of such persons and the supervision of such children and young persons ,
50 (o) the contribution by parents and other persons liable to maintain
55

youthful offenders, children and young persons ,

(p) the boarding out of children and the licensing and supervision of youthful offenders and children , 60
and the submission of reports on such youthful offenders or children

(q) the procedure to be adopted in juvenile courts , and

(r) the time within which appeals 65
 under section 50 51 shall be filed

(s) All rules made under clauses (k) and (q) of sub-section (2) shall be subject to the previous approval of the Governor General in Council 70

(4) The power to make rules under this Act shall be subject to the condition of previous publication *and to the further condition that the rules so made shall be laid on the table of the Bombay Legislative Council for one month previous to the next session of the Council and shall be liable to be modified or annulled by a resolution of the said Council, passed at such next session* 75
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APPENDIX 59

BILL NO. XIV OF 1924.

A Bill to consolidate and amend the law relating to Co-operative Societies in the Presidency of Bombay

REPORT OF THE SELECT COMMITTEE

We, the undersigned members^{*} of the Select Committee appointed to consider Bill No. XIV of 1924 (a Bill to consolidate and amend the law relating to Co-operative Societies in the Presidency of Bombay), have the honour to report as follows —

2 Reasons for the principal amendments made in the Bill are given in the Notes on Clauses appended hereto. But we may mention here some of the main alterations we have introduced in the Bill.

3 We have made the classification in clause 3 more comprehensive, provided for an appeal against the Registrar's orders in the Bill itself (clause 63), made an annual audit of every registered society compulsory (clause 22), and have also provided safeguards in respect of the powers for summoning witnesses and other persons and as regards the institution of prosecutions (clauses 22, 31 and 64).

4 By a majority of six to five, we are of opinion that the rule-making power under clause 71 should be restricted by providing that the rules shall not come into force until approved by the Legislative Council.

5 A copy of the Bill as amended is appended to this Report. We recommend that this report with a copy of the Bill as amended by us be published in English and in the vernaculars of the Presidency as well as in Urdu in the *Bombay Government Gazette* and the *Sind Official Gazette*.

NOTES ON CLAUSES

Clause 3—

(e) The word "registered" has been omitted in order to avoid repetition in the various sections of the Bill.

(h) The classification has been made more comprehensive by the addition of sub-clause (5), which is meant to include societies formed for propaganda, educational, and other similar purposes.

In sub-clause (1) the definition of "Resource Society" has been widened so as to include societies composed of mill-hands and salary earners.

(i) The definition of "special resolution" has been omitted altogether as being unnecessary. Sufficient safeguards have been provided in the clauses where special resolutions were thought necessary in the original Bill.

^{*}The signatures of Mr M. D. Karku, Mr H. H. Naniwala, Mr W. S. Mukadam, Khan Bahadur S. N. Bhutto and Mr L. S. Chaudhari will be notified when received.

Clause 5 — Provision has been made to the effect that the joint liability is to be enforced, if necessary, only on the liquidation of a society

Clause 10 — Some words have been omitted as being redundant

Clause 12 — Paragraph 2 has been omitted, as it contained details which can better be provided for in the Rules

Clause 13 — The provision for half-yearly meetings has been omitted as being unnecessary in the case of most societies

Clause 15 — The changes in sub-clauses (1) and (2) have been necessitated by the omission of the definition of a "special resolution" in clause 3 (i)

Sub-clauses (3) and (4) have been omitted as it was considered undesirable to give facilities enabling co-operative societies to convert themselves into Joint Stock Companies

Clause 18 — The Committee were of opinion that voting by proxy was objectionable even in the cases of delegates from societies

Clause 22 — In sub-clause (1), instead of the word "any" the word "every" has been substituted to secure that the account of every society shall be audited at least once every year

In sub-clauses (3) and (4), all reference to inspection has been omitted as it was thought undesirable to extend the power of summoning witnesses and other persons to inspecting officers

Clause 24 — Some words have been added to make the intention clear

Clause 26 — The concession is proposed to be extended to such provident funds as may be established under section 41 of the Act

Clause 31 — A new clause (b) has been added on the lines of section 5 of the Bankers' Books Evidence Act. It was thought necessary to do this in order to safeguard the interests of large urban and central Banks, the business of which might be considerably dislocated if their officers were summoned or their books were called for in all legal proceedings to which they might be parties

Clause 34 — Sub-clause (1) has been redrafted in order to enable societies with the general or special sanction of the Registrar to make advances to non-members

Clause 36 — Sub-clause (2) has been omitted as being both redundant and impracticable

Clause 39 — Sub-clause (2) The majority of the Committee were of opinion that the reserve fund should be used only for the purposes of local or communal interests

Clause 40 — Sub-clause (a) An addition has been made on the lines of proviso 2 of the corresponding section of the present Act

Clause 45 — The words "members or past members" have been added, as there may be cases of such persons having been responsible for the working or the financial condition of a society

Clause 46 — The power to make a reference to a Magistrate for the recovery of a fine has been allowed to the Registrar only

Original Clause 48—This has been omitted as a special provision for appeals has been made in the new clause 63

Original Clause 52—This has been omitted as the Committee objected to such powers being given to the Registrar

Clause 52—An addition has been made to provide for consultation with the members of a liquidated society regarding the disposal of its surplus assets

Clause 55—The taking of adequate security has been provided as an alternative to the attachment of property

Original Clause 59—This has been omitted as a special provision for appeals has been made in the new clause 63

Clause 58—As the Registrar can authorize even non officials like honorary organizers to hold an enquiry, the words "an auditor, liquidator or arbitrator" have been omitted

Clause 59—This has been redrafted so as to make its meaning clear. A new sub-clause has been added which provides a safeguard against combinations of persons for the purpose of preventing the sale of any attached property

Clause 60—Some additions have been made

Clause 61—The maximum fine has been reduced to Rs 50

Clause 62—A new clause (3) has been added, providing that no person shall be prosecuted without the Registrar's previous sanction

Clause 63—This is new. It provides for appeals against the orders of the Registrar. It was thought desirable that a provision for such appeals should be made in the Act itself

Clause 66—A new proviso has been added

Clause 67—This is the same as old clause 63

Clause 69—This is new and is meant to apply to societies outside the Presidency which may have or may establish a branch or place of business in this Presidency

Clause 70—This is also new

Clause 71—Sub-clause (5). This new sub-clause has been added as the majority of the Committee were of opinion that Rules should not come into force until approved by the Legislative Council

(Signed) A M K DEHLAVI (subject to a minute of dissent) *

(Signed) B V JADHAV

(Signed) S K BOLE (subject to a minute of dissent) *

(Signed) A U MALJI (subject to a minute of dissent) *

(Signed) L B BHOPATKAR (subject to a minute of dissent)

(Signed) R G PRADHAN (subject to a minute of dissent)

(Signed) S T KAMBLI

(Signed) V N JOG

(Signed) MAHOMED AYOOB S KHEHRO

(Signed) D P DESAI (subject to a minute of dissent)

(Signed) J A MADAN (subject to a minute of dissent) *

(Minute of dissent by Mr L B Bhopatkar, M L C)

Apart from the several amendments which the Bill requires in its details, there are three principles which it fails to recognise, and for want of which the whole co-operative movement is not progressing as rapidly and vigorously as it should have done. They are (1) the State's obligation to render financial aid to the movement and the co-operative societies, while they are in their infant stage, (2) the increasing association of popular element with the working of the Co-operative Department, and (3) the desirability of throwing open the ordinary Civil Tribunals in the Presidency at least once and at some stage to parties feeling themselves to be aggrieved by the decisions of the authorities concerned. The total lack of these principles has greatly retarded the progress of the co-operative movement in the past, and is sure to do so also in future. The whole Bill strongly smells of officialdom from start to finish, and if it be passed into an Act without embodying the principles mentioned above, it will fail to attract the vivifying touch of all disinterested and intelligent endeavour for the promotion of the co-operative cause.

The various amendments that I propose to move are as follows —

(1) In Clause 3, sub-clause (4) for the words "with dwelling houses" substitute the words "with houses for residential or business purposes"

(2) Before the present clause 4 insert a clause as follows —

"4 (1) There shall be constituted for each revenue division and the Province of Sind a Board of Control consisting of the Registrar, another Member elected by the Societies in the Division or Province, and a third Member elected by the Members of the Divisional Branch of the Central Co-operative Institute, Bombay"

And convert the present Clause 4 into sub-clause "(2)"

(3) Delete the words "whose decision shall be final" from Clause 8

(4) In Clause 13, line 14 after the word "called" add "within one month" and in line 15 after the word "requisition" add "in writing"

(5) In Clause 16, sub-clause (2) for "may" substitute "shall"

(6) In Clause 18 after "affairs" add "except the Chairman who shall have a casting vote in case of equal division"

(7) After (b) of Clause 19 add a sub-clause as follows —

"(c) In the event of the failure to secure for this purpose a Member of the Society or a person whose application for membership is accepted by the Society within two months from the application for transfer, the Society shall transfer the share or interest in its own name"

(8) In Clause 21 after "inspection" add "to its Members free of charge"

(9) Delete from Clause 24, sub-clause (b) the words "as also upon the moveable property held by him on the premises of such Society"

(10) In Clause 27, sub-clause (2) for "may" substitute "shall" and after the word "Society" add "if so required by him"

(11) Delete altogether clause 38

(12) In Clause 39, sub clause (2) for " $\frac{1}{4}$ " and " $\frac{1}{10}$ " substitute respectively " $\frac{1}{8}$ " and " $\frac{1}{16}$ "

(13) In Clauses 43 to 46 wherever the word 'Registrar' occurs, substitute "Board of Control" and make the necessary consequential changes

(14) Similarly, in Clauses 47 to 51 wherever the word "Registrar" occurs, substitute the words "Board of Control"

(15) In Clause 52 for "Registrar" substitute "Board of Control", and delete "any or all of" and after "following" add "in the order in which they are mentioned hereunder"

(16) In Clauses 54 to 59 wherever the word "Registrar" occurs, substitute "Board of Control"

If my amendment regarding the constitution of the Board of Control is not accepted by the House, then I propose an amendment to Clause 56 as follows

After the word "Registrar" add "or to the District Court within the limits of whose local jurisdiction the cause of action has arisen" And from Clause 57 delete the words from "the" to "Court", and substitute therefor the following "But the Government reserve to themselves the power to revise any order mentioned in Clause 56"

(17) In Clause 62, sub-clause (3) for "Registrar" substitute "Board of Control"

(18) In Clause 71 add a sub-clause at the end as follows

"(ee) provide for the formation, maintenance and continuation of the Board of Control referred to in Clause 4"

(19) In the Preamble I suggest the following amendment as proposed by Rao Saheb D P Desai, *viz*

"(1) Delete all the words between 'whereas' in the first line and 'whereas' in the tenth line of the Preamble and insert instead the following words

"It is expedient further to facilitate the formation and working of Co-operative Societies with a view that they might serve to bring about better living, better business, and better methods of production for the agriculturists and other persons with common economic needs, and whereas it is necessary for that purpose to enable Government to render effective aid to Co operative Societies and"

(Minute of Dissent by Mr R G Pradhan, M L C)

I am of opinion that the words "to some public purpose likely to promote the objects of this Act", which occur in section 39(2), should not be omitted. If there is any public purpose for which the reserve fund of a society may well be spent wholly or in part, it is some public purpose which will, or is likely to, promote the objects for which the Co-operative Societies Act is enacted. At the same time, I realize that a society should have the liberty to use the fund if it chooses, for some purposes of local or communal interest. But I fail to see why its choice should be restricted to such purpose, and why it should not be allowed to use the fund for some purpose of provincial interest, as well. My view, therefore, is that the section should be amended, not in the way in which the Select Committee has done, but as follows —

The last four lines of the section should read "used in whole or in part for some public purpose likely to promote the objects of this Act, or for some purpose of provincial, local or communal interest"

As regards section 67 of the bill as amended, I am of opinion that it should be deleted altogether. The prohibition embodied in the section is, in my judgment, an adjustable interference with individual liberty of action. The Co-operative Societies Act of 1904 did not contain the section. It was enacted for the first time in the Act of 1912. I do not see the necessity for the provision, and I believe a provision of that kind does not obtain in the laws relating to co-operative societies in progressive European countries. I do not think that the use of the word "Co-operative" or of its vernacular equivalent should be a monopoly of the Government.

The clause (2) of the section read along with section 60 presents a difficulty which I am afraid has escaped the notice of the select committee. Section 60 mentions the acts or omissions which would constitute offences under the Act. It does not include prohibition of the use of the word "co-operative" as an offence under the Act. Nevertheless, clause (2) of section 67 penalizes the use of the word "co-operative" or "its vernacular equivalent" without the sanction of Government. Now, by whom is the penalty to be inflicted? Is it to be inflicted by the executive Government or by a magistrate, on conviction? I do not think it can be intended that the Government should have the power to inflict the penalty. In that case, is it not necessary to amend section 60 so as to include the use of the word 'co-operative' in the categories of offences under the Act?

I am, further, of opinion that every conviction under this Act should be appealable and provision made accordingly.

I would substitute the word "knowingly" for "wilfully" in section 60, clause (c).

Nasik, 21st September 1924

(Signed) R G PRADHAN

(Minute of Dissent by Rao Sahab D P Desai, M L C)

(1) I differ. The Bill as modified by the Select Committee, though it improves in a slight degree the retrograde measure introduced at the first reading, does nothing either to expand or liberalize the policy governing the co-operative movement in this country. The few new clauses that appear in the bill either give more powers to the Registrar and officers under him or put further restrictions on the freedom of the societies or strangely enough what were rules under the Act of 1912 have been introduced as new clauses in the bill before the Council (*vide* clauses 12, 13, 14, 22 read with 60, 40, 38, 42, 52, 54, 56, 59, 60, 61). I therefore fail to perceive any reason for bringing it before the Council except it be to get the sanction of a more democratic body, for a measure more autocratic than its predecessor the Co-operative Act of 1912. In short all the defects of the old Act are there with new ones added which if passed, will, I fear, greatly hamper the progress of the co-operative movement in this presidency. It makes not the slightest effort to bring this beneficent movement in line with that existing in almost all advanced countries. All this in my view is due to the constant touch of the Government with their subordinate officers unrelied by an equally powerful intercourse with the non-official element. Hence I strongly recommend that a Board composed only of non-official members should be attached to the Ministry of Co-operation to advise the Minister in all matters connected with the rural and urban economic development on co-operative lines.

(2) The principle of direct financial aid has not been embodied in the Bill though the Provincial Co-operative Conference has emphatically passed a resolution in its favour. The past experience clearly proves that without such help the *fundamental objects* for which co-operative movement has been brought into existence will remain unfulfilled. Permanent improvements in agriculture, removal and prevention of indebtedness of the agriculturists, provision of cheap and sufficient capital for agriculture and small industries and such other allied objects will remain dreams never to be realized. While all the civilized countries make huge sacrifices in this direction and finance the co-operative societies with a lavish hand, our Government takes refuge under a principle recommended by some writers but followed by none. It is such blind adherence to abstract and obsolete theories that prevents the economic progress of a country and ultimately ruins it.

(3) The undue haste with which such an important measure is being hurried through appears to me to be a matter of grave suspicion and so I recommend that in order to give the public the fullest possible opportunity to discuss and criticize it, the consideration of it be postponed till the March session. The Provincial Co-operative Conference is to be held in December and it is but fair that that body should be allowed an opportunity of criticising a Bill that vitally affects its constituents.

(Signed) DADUBHAI P. DESAI

(Minute of dissent by the Honorable Mr. A. M. K. Dehlavi, Bas-at-Law, the Honorable Mr. B. V. Jadhav, M. A., LL. B., Mr. J. A. Madam, I. C. S., M. L. C., Mr. S. K. Bole, M. L. C., Mr. S. T. Kamble, M. L. C., Mr. M. S. Khurro, M. L. C. and Khan Bahadur S. N. Bhutto, M. L. C.)

“ Clause 71, sub clause (5) —We are of opinion that while it would be desirable to lay the rules on the table of the Legislative Council and allow resolutions to be moved thereon, the sub-clause as amended in the Committee would lead to serious delay, administrative inconvenience and would take up a considerable amount of the time of the Council in discussion of details. The object in view would be best served by laying it down that the rules should be placed on the table of the Council, and should be liable to be modified or annulled by a resolution of the Council.

The procedure suggested by us will, we believe, be in accordance with Parliamentary practice in England ”

(Minute of dissent by Mr. M. D. Karle, M. L. C.)

“ I am of honest opinion that without sufficient provisions in the Act itself for adequate state-aid to societies for building up of home and other small industries in the country and of working capital at the initial stage in the case of deserving rural societies the Act will not be perfect one to meet the necessity of the time.

I am in favour of original clause 52 the provisions of which are in my opinion salutary but the order of the Registrar should be made appealable to the District Court having jurisdiction in the matter.

In clause 52 it was agreed—if I remember right—that instead of ‘ The Central Co-operative Institute ’ in old sub-clause (a) the wording ‘ A Central Co-operative Bank ’ should be inserted. Even if that change was not agreed upon, I am in favour of such a change.

‘ If the intention of clause 54 is to exclude civil courts from trying cases therein provided, it seems to me that there should be a clear cut provision as provided in clause 51 barring the jurisdiction of civil courts over such cases.

Clauses 64—66 should be deleted altogether. Such provisions should not find place in an Act like Co-operative Societies Act which is after all a people’s Act as observed by the Honourable the Minister in charge.

I quite agree with those members who say that rule-making powers should not be entirely left in the hands of Government as our past experience shows that the rules framed under that power do take away what little benefit the Act confers on the subjects. But the provisions in clause No. 5 to section 71 will give rise to a dilatory process causing inconvenience and hardship in the working of the Act. I would therefore suggest that the rules framed and published shall not have the force of law if they are modified or annulled by the Legislative Council.

I am of further opinion that the words ‘ surplus assets ’ in clause 52 are liable to have various meanings. It is therefore suggested that that term should be defined in the Act.”

(Minute of dissent by Rao Bahadur A U Malvi, M L C)

"The provision about the Rules made in the Select Committee was carried by a majority of one vote only. It is likely to delay business start and the procedure too will be found cumbrous. All matters of detail are left to Rules and unless these are soon passed for operation, there will be a number of difficulties felt. Either the Rules should continue to operate until rescinded or modified or many of these Rules should be translated to the Act itself. I am therefore inclined to agree with the Honourable Mr. Jadhav that the Rules shall, after previous publication in the Gazette, be laid on the Council table and shall be liable to be modified or annulled by a Resolution of the Council passed at its next sessions."

(Minute of dissent by Mr. H. H. Narichwala, M L C)

"I differ. The bill was hurried through and no sufficient time was allowed in the Select Committee to consider the measure. Also most important suggestions were not allowed to be discussed in the Select Committee. I, therefore, am of opinion that it should be referred back to the Select Committee with instructions to take evidence of persons interested in the Co-operative movement on the merits and demerits of the bill and to embody the suggestions made by the Provincial Co-operative Conference which is to be held in month of December."

The bill even though amended still contains objectionable features which in my opinion should be thoroughly discussed with prominent members of the Co-operative movement before introducing them in the bill.

The report is incomplete and premature. In clause 33(2)(b) it was also provided in the Select Committee so far as my notes and memory help me, that exemption of any fee payable under the law of court fees should also be extended along with the exemption of any fee payable under the law of registration. The amendment is not embodied in the report. The omission of the amendment cannot be allowed to pass when the Select Committee has accepted it."

(Minute of dissent by Mr. W. S. Mukadam, M L C)

"It is my painful duty to differ from some of my Council comrades in certain items of this bill. I am not going to touch those items in this minute of dissent. Most reluctantly I make a note that this bill was hurried through and unfortunately sufficient time was not given to the Select Committee for its deep consideration. Even the discussion of certain important suggestions was not allowed in the Select Committee."

To make this bill more useful to the people for whose benefit it is drafted it was necessary for the Select Committee to consult certain persons deeply interested in this Co-operative work. The Select Committee ought to have been given sufficient time to take evidence of persons well read and well experienced in the Co-operative movement. I am told

that the Provincial Co-operative Conference is to be held in the month of December and it would have been in the interests of the people if the Select Committee was to take advantage of some valuable suggestions of this Conference too

After going through the bill as amended by the Select Committee and after deep consideration on every item and clause of it my humble opinion in the matter is this that the bill should be again referred to the same Select Committee which will do everything in its power to make it a complete success "

(3) a "Consumers' society" means a registered society formed with the object of obtaining and distributing goods to its members, as well as to other consumers and of dividing among its members and customers in a proportion prescribed by the rules or by the by-laws of such society the profits accruing from such supply and distribution,

(4) a "Housing society" means a registered society formed with the object of providing its members with dwelling houses on conditions to be determined by its by-laws,

(5) a "General society" means a society not falling under any of the four classes above mentioned

The Registrar shall classify all registered societies under one or other of the above heads and his decision shall be final

A list of all such societies so classified shall be published annually in the *Bombay Government Gazette*

(1) A "special resolution" means a resolution,

(1) of which due notice has been given as required by the by-laws,

(2) which has been passed by a three-fourth majority of the members entitled to vote either in person or by proxy at a special general meeting of a registered society, and

(3) which has been confirmed by a majority of the members entitled to vote at a subsequent

~~special general meeting of which~~ 100
~~due notice has been given and~~
~~which has been held not less than~~
~~15 days nor more than one month~~
~~from the date on which the resolu~~
~~tion was passed~~ 105

~~The Chairman's declaration that a~~
~~resolution has been passed shall be~~
~~deemed conclusive evidence of the fact~~

Registration

4 Government may appoint a
 The Registrar person to be Regis-
 trar of Co-opera-
 tive Societies for the presidency or
 any portion of it, and may appoint 5
 a person or persons to assist such
 Registrar, and may, by general or
 special order, confer on any such
 person or persons all or any of the
 powers of a Registrar under this 10
 Act

5 Subject to the provisions herein-
 after contained, a
 Societies which may society which has
 be registered as its object the
 promotion of the economic interests 5
 of its members in accordance with
 co-operative principles, or a society
 established with the object of
 facilitating the operations of such a
 society, may be registered under this 10
 Act with or without limited liability

Provided that, unless Government
 by general or special order other-
 wise directs—

(1) the liability of a society of 15
 which a member is a registered
 society shall be limited

(2) the liability of a society of
 which the primary object is the
 creation of funds to be lent to its 20
 members, and of which the majority
 of the members are agriculturists,

25 and of which no member is a registered society, shall be unlimited and the members of such a society shall, *on its liquidation*, be jointly and severally liable for and in respect of all obligations of such a society

6. Where the liability of the members of a society is limited by shares, ^{Restrictions on interest of member of society with limited liability and a share capital} no member other than a registered society shall

10 (a) hold more than such portion of the share capital of the society, subject to a maximum of one-fifth, as may be prescribed by the rules or

15 (b) have or claim any interest in the shares of the society exceeding three thousand rupees provided that if the society is a housing society a member may have or claim an interest in the shares of the society not exceeding Rs 10,000

7 (1) No society, other than a ^{Conditions of registration} society of which a member is a registered society, shall

5 be registered under this Act, which does not consist of at least ten persons above the age of eighteen years and, where the object of the society is the creation of funds to be lent to

10 its members, unless such persons--

(a) reside in the same town or village or in the same group of villages, or

15 (b) save where the Registrar otherwise directs, are members of the same tribe, class, caste or occupation

(2) The word "limited" shall be the last word in the name of every society with limited liability registered under this Act 20

8 When any question arises whether for the purpose of this Act a person is an agriculturist or a non-agriculturist, or whether any person is a resident in a town or village or group of villages, or whether two or more villages shall be considered to form a group, or whether any person belongs to any particular tribe, class, caste or occupation, the question shall be decided by the Registrar, whose decision shall be final 5 10

9. (1) For purposes of registration an application to register shall be made to the Registrar 5

(2) The application shall be signed

(a) in the case of a society of which no member is a registered society, by at least ten persons qualified in accordance with the requirements of section 7, sub-section (1), and 10

(b) in the case of a society of which a member is a registered society, by a duly authorised person on behalf of every such registered society and where all the members of the society are not registered societies, by ten other members or, when there are less than ten other members, by all of them 15 20

(3) The application shall be accompanied by a copy of the proposed by-laws of the society, and the persons 25

by whom or on whose behalf such application is made shall furnish such information in regard to the society as the Registrar may require

10. If the Registrar is satisfied that a society has
 Registration complied with the provisions of this Act and the rules and that its proposed by-laws are not
 5 contrary to this Act or to the rules, he may ~~if he thinks fit~~ register the society and its by-laws

11. A certificate of registration signed by the Registrar shall be
 Evidence of registra conclusive evidence
 5 that the society therein mentioned is duly registered unless it is proved that the registration of the society has been cancelled

- 12 Every ~~registered~~ society shall within a period of
 Annual general meeting ~~two~~ *three* months after the date on
 5 ~~which fixed for making up~~ its accounts for the year ~~are made up~~ under the rules for the time being in force call a general meeting of its members

- ~~The committee shall at such meeting submit a report of the previous year's working of the society. The general meeting shall elect a committee for the ensuing year and shall perform such other duties as it is required by the rules or by its by-laws to perform.~~
 10
 15 The business of the general meeting shall be conducted by resolution and the decision shall go by a majority of votes

13. Every ~~registered~~ society shall also hold a special
 Half-yearly meet- general meeting
 ings annually within six
 5 months of the date of the annual general

~~meeting to consider the half yearly accounts and to perform such other duties as may be imposed upon it by the rules or by the laws of the society~~

A special general meeting may be called at any time by a majority of the committee and shall be called—

(1) on the requisition of one-fifth of the members of the society, or,

(2) at the ~~order~~ instance of the Registrar

14. A registered society may, with the approval ~~in~~ ^{Change of name its effect} ~~writing~~ of the Registrar and by ~~special~~ a resolution of a general meeting, change its name but such change shall not affect any right or obligation of the society, or of any of its members, or past members and any legal proceedings pending may be continued by or against the society under its new name

15 (1) Any two or more registered societies may—by ~~special resolution~~ ^{Amalgamation or transfer of societies or their conversion into companies} ~~of both or all such societies may, with~~ the approval of the Registrar by a resolution passed by a three-fourths majority of the members present at a special general meeting of each such society held for the purpose, amalgamate as a single registered society, provided that each member has had clear fifteen days' written notice of the resolution and the date of the meeting Such an amalgamation may be effected without a dissolution, or a division of the funds, of the amalgamating

20 societies The special resolution of the societies concerned shall on such amalgamation be a sufficient conveyance to vest the property of the amalgamating societies in the amalgamated society on such an amalgamation

25 (2) Any registered society may by special a resolution passed in accordance with the procedure laid down in clause (1) transfer its assets and liabilities to any other registered society which is prepared to accept them

30 (3) A registered society may by special resolution by which its members subscribe their names to a memorandum of association and otherwise comply with the requirements of the Indian Companies Act, 1913, convert itself
 35 into a company under the said Act, or may amalgamate with or transfer its assets and liabilities to any such company

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40 (4) If a registered society is registered as or amalgamates with or transfers all its assets and liabilities to any such company the registration of such society under this Act shall thereupon
 45 become void, and the same shall be cancelled by the Registrar, but the registration of a society as a company shall not affect any right or claim for the time being subsisting against
 50 such society or any penalty for the time being incurred by such society, and for the purposes of enforcing any such right, claim or penalty the society may be sued and proceeded against in the
 55 same manner as if it had not become registered as a company, and every such right, claim or liability to such penalty shall have priority against the property of any such company
 60 over all other rights, claims or liabilities of any such company

- 16 (1) No amendment of the by-laws of a registered society shall be valid until approved by the resolution of ~~an annual or a special~~ general meeting, and registered under this Act, for which purpose a copy of the amendment shall be forwarded to the Registrar 5 10
- (2) If the Registrar is satisfied that any amendment of the by-laws is not contrary to this Act or to the rules, he may, ~~if he thinks fit~~, register the amendment 15
- (3) When the Registrar registers an amendment of the by-laws of a registered society, he shall issue to the society a copy of the amendment certified by him, which shall be conclusive evidence that the same is duly registered 20

Rights and liabilities of members

- 17 No person shall exercise the rights of a member of a registered society unless or until he has made such payment to the society in respect of membership or acquired such interest in the society as may be prescribed by the rules or the by-laws of such society 5 10
- 18 (1) No member of any registered society shall have more than one vote in its affairs 5
- (2) A registered society which has invested any part of its funds in the shares of another registered society, may appoint one of its members ~~or a member of some other registered society~~ 5

10 ~~having a similar interest to vote by~~
~~proxy~~ in the affairs of such a registered
 society

19 (1) The transfer or charge of
 the share or inter-
 est of a member in
 the capital of a
 5 registered society shall be subject to
 such conditions as to maximum hold-
 ing as may be prescribed by this Act
 or by the rules

(2) A member shall not transfer
 10 any share held by him or his interest
 in the capital or property of any reg-
 istered society or any part thereof unless

(a) he has held such share or in-
 terest for not less than one year,
 15 and

(b) the transfer or charge is made
 to the registered society or to a
 member of the registered society or
 to a person whose application for
 20 membership has been accepted by the
 society

Duties of registered societies

20. Every registered society shall
 have an address
 Address of societies registered in accord-
 5 ance with the rules, to which all
 notices and communications may be
 sent, and shall send notice in writing
 to the Registrar of any change in the
 said address within 30 days of such
 change

21. Every registered society shall
 keep open to in-
 Copy of Act, rules and by-laws, etc., to spection at all
 be open to inspec- reasonable times
 5 tion at the registered
 address of the society—

(a) a copy of this Act,

(b) a copy of the rules governing such society,

(c) a copy of the by-laws of such society, and 10

(d) a register of its members

22. (1) The Registrar shall by himself or by some person authorized by him in writing by general or special order in this behalf audit the accounts of ~~any registered~~ every society once at least in every year 5

(2) The audit under sub-section (1) shall include an examination of overdue debts, if any, the verification of cash balance and securities, and a valuation of the assets and liabilities of the society 10

(3) The Registrar or other person auditing the accounts of any registered society shall ~~at all times~~ have free access to the books, accounts and vouchers of such society and shall be allowed to verify its cash balances and securities 15 20

The Directors, Managers, and other officers of the society shall furnish to the Registrar or other person appointed to audit ~~or inspect~~ the accounts of a registered society all such information as to its transactions and working as the Registrar or such person may require 25

(4) The Registrar and every other person appointed to audit ~~or inspect~~ the accounts of a registered society shall have power *when necessary* 30

(i) to summon ~~and enforce the attendance at the time of his audit or inspection of~~ any officer, agent, servant or member of the registered society who he has reason to believe can give valuable information in 35

0 regard to any transaction of the society or the management of its affairs, or

45 (u) to require the production of any book or document relating to the affairs of, or any cash belonging to, the society by the officer, agent, servant or member in possession of such book, document or cash

Privileges of registered societies

23. The registration of a society shall render it a
 Societies to be bodies corporate body corporate
 corporate by the name under
 5 which it is registered, with perpetual succession and a common seal, and with power to hold property, to enter into contracts, to institute and defend suits and other legal proceedings and to do all things necessary for the purposes of its constitution

24. Subject to any prior claim of Government in
 Prior claim of society respect of land revenue or any money recoverable as
 5 land revenue or of a landlord in respect of rent or any money recoverable as rent,

10 (u) any debt or outstanding demand owing to a registered society by any member or past member shall be a first charge (i) upon crops or other agricultural produce ~~or raised~~
in whole or in part with a loan taken from the society by such member
 15 or past member, and (u) upon any cattle, fodder for cattle, agricultural or industrial implements or machinery, or raw materials for manufacture or workshops, godown
 20 or place of business supplied to or purchased by such member or past member in whole or in

part from any loan whether in money or goods given him by the society, and 25

(b) any outstanding demands or dues payable to a registered housing society by any member or past member in respect of rent, shares, loans, or purchase money or any other rights or amounts payable to ~~a housing~~ such society shall be a first charge upon ~~the property, moveable or immoveable, of such member or past member~~ his interest in the immovable property of the society as also upon the moveable property held by him on the premises of such society 30 35

25 A registered society shall have a charge upon the share or interest in the capital and on the deposits of a member or past member and upon any dividend, bonus or profits payable to a member or past member in respect of any debt due from such member or past member to the society, and may set off any sum credited or payable to a member or past member in or towards payment of any such debt 5 10

26 Subject to the provisions of section 25, the share or interest of a member in the capital of a registered society or in any provident fund established under section 41 of this Act shall not be hable to attachment or sale under any decree or order of a court of justice in respect of any debt or liability incurred by such member, and neither the Official Assignee under the 5 10

III of 1909 15 Presidency Towns Insolvency Act
 V of 1920 15 1909, nor a Receiver under the
 Provincial Insolvency Act, 1920, shall
 be entitled to or have any claim
 on such share or interest

27 (1) On the death of a member of
 a registered society
 Transfer of interest on death of member such society may
 within a period
 5 of one year from the death of
 such member transfer the share or
 interest of the deceased member
 to a person or persons nominat-
 ed in accordance with the by-laws
 10 of the society, if duly admitted a
 member of the society, in accordance
 with the rules or the by-laws of the
 society, or, if there is no person so
 nominated, to such person as may ap-
 15 pear to the Committee to be the heir or
 legal representative of the deceased
 member if duly elected a member of the
 society, or may pay to such nominee,
 heir or legal representative, as the
 20 case may be, a sum representing the
 value of such member's share or
 interest as ascertained in accordance
 with the rules or by-laws

25 Provided that such nominee, heir
 or legal representative, as the case
 may be, may require that payment
 shall be made by the society within
 one year from the death of the member
 of the value of the share or interest
 30 of such member ascertained as afore-
 said

(2) A registered society may pay
 to such nominee, heir or legal repre-
 sentative, as the case may be, all other
 35 moneys due to the deceased member
 from the society

(3) All transfers and payments
 made by a registered society in accord-
 ance with the provisions of this section

shall be valid and effectual against any demand made upon the society by any other person 40

28. The liability of a past member for the debts of a registered society as they existed at the time when he ceased to be a member, shall continue for a period of two years from the date of his ceasing to be a member 5

29. The estate of a deceased member shall be liable for a period of one year from the date of his decease for the debts of a registered society as they existed at the time of his death 5

30 Any register or list of members or shares kept by any registered society shall be *prima facie* evidence of any of the following particulars entered therein — 5

(a) the date at which the name of any person was entered in such register or list as a member, 10

(b) the date at which any such person ceased to be a member

31. (a) A copy of any receipt application, plan, notice, of document or entry as order or other document or of any entry in a any book, register or list regularly kept in the course of business in the possession of a registered society shall, if duly certified in such manner as may be prescribed by the rules, be admissible in evidence of the existence of the document or entry and shall be admitted as evidence 5 10

15 of the matters and transactions therein recorded in every case where, and to the same extent to which, the original document or entry would, if produced, have been admissible to prove such matters

20 (b) In the case of such societies as Government by general or special order may direct, no officer of a society shall in any legal proceedings to which the society is not a party be compelled to produce any of the society's books, the
25 contents of which can be proved under clause (a), or to appear as a witness to prove the matters transactions and accounts therein recorded, unless by order of the Court or a Judge made for
30 special cause

32. Nothing in section 17, sub-
Exemption from section (1), clauses compulsory registration (b) and (c), of the
tion of instruments Indian Registration
relating to shares Act, 1908, shall
XVI of 1908 5 and debentures of registered society apply to —

(1) any instrument relating to shares in a registered society, notwithstanding that the assets
10 of such society consist in whole or in part of immoveable property, or

(2) any debenture issued by any such society and not creating,
15 declaring, assigning, limiting or extinguishing any right, title or interest to or in immoveable property except in so far as it entitles the holder to the security afforded
20 by a registered instrument whereby the society has mortgaged, conveyed or otherwise transferred the whole or part of its immoveable property or any interest therein to trustees

upon trust for the benefit of the holders of such debentures, or 25

(3) any endorsement upon or transfer of any debenture issued by any such society

33 (1) The Governor General in Council, by notification in the *Gazette of India*, may, in the case of any registered society or class of registered societies, remit the income-tax or super-tax payable in respect of the profits of the society, or of the dividends or other payments received by the members of the society on account of profits or in respect of interest on securities held by the society 5 10

(2) The Local Government by notification in the *Bombay Government Gazette* may, in the case of any registered society or class of registered societies, 15

(a) remit the stamp-duty with which, under any law for the time being in force, instruments executed by or on behalf of a registered society or by an officer or member and relating to the business of such society, or any class of such instruments or awards of arbitrators under this Act are respectively chargeable, and 20 25

(b) any fee payable under the law of registration for the time being in force 30

Property and funds of registered societies

34. (1) Except with the general or special sanction of the Registrar a registered society shall not make a loan to any person other than a member 5

~~Provided that, with the general or special sanction of the Registrar, a registered society may make loans to another registered society~~

(2) Save with the sanction of the Registrar, a registered society with unlimited liability shall not lend money on the security of moveable property

(3) Government may, by general or special order, prohibit or restrict the lending of money on mortgage of immoveable property by any registered society or class of registered societies

35. A registered society shall receive deposits and
 Restrictions on borrowing loans from persons
 5 members only to such extent and under such conditions as may be prescribed by the rules or by the by-laws of such society

36. (1) Consumers', Producers' and Housing Societies may to the
 Restrictions on other transactions with non-members extent permitted
 5 by their by-laws trade with persons who are not members but the transactions of a Resource society with persons other than members except as provided under section 34 or 35 shall be subject to such prohibitions and restrictions, if any, as Government may by rules prescribe

(2) ~~Except as otherwise provided in its by-laws a Consumers' society may sell to customers who are not members as well as to its members such goods as its stocks for sale provided that the purchase is made for the consumption of the customer and not for purposes of re-sale.~~

37. A registered society may invest
Investment of funds or deposit its funds
- (a) in the Government Savings Bank, or 5
- (b) in any of the securities specified in section 20 of the Indian Trusts Act, 1882, or II of 1882
- (c) in the shares or on the security of any other registered society, provided that no such investment shall be made in the shares of any society other than one with limited liability, or 10
- (d) with any bank or person carrying on the business of banking approved for this purpose by the Registrar, or 15
- (e) in any other mode permitted by the rules 20
38. (1) No registered society shall pay a dividend to its members at a rate exceeding 10 per cent 5
- Restrictions on dividend
Reserve Fund
- (2) 39 (1) Every registered society which does or can lawfully derive a profit from its transactions shall maintain a reserve fund 10
- Reserve Fund
39. (2) In the case of a Resource or Producers' society at least 1/10th of the net profits of the society each year shall be carried to the reserve fund and in the case of a Consumers' or Housing society at least 1/10th of the net profits of the society each year shall be carried to the reserve fund, and such reserve fund may be used in the business of the society or may be invested, subject to 5
- Contribution to reserve fund

the provisions of section 37, as Govern-
 20 ment may by general or special order
 direct, or may, with the previous
 sanction of Government, be ~~denoted~~
~~used~~ in whole or in part ~~to some~~
~~public purpose likely to promote the~~
 25 ~~objects of this Act for some purposes~~
of local or communal interest

40. Subject to the provisions of
 section 38 (1) the
 Restrictions on distri- balance of the pro-
 bution of profits fits of a registered
 5 society after making the prescribed pro-
 vision for the reserve fund may together
 with any available profits of past years
 be distributed among its members, and
 10 in the case of Consumers' and Produ-
 cers' societies, also among persons who
 are not members, to the extent and
 under the conditions prescribed by the
 rules or by the by-laws of such societies
 provided that .—

15 (a) in the case of a Resource
 society on a basis of unlimited
 liability in which the members do
 not hold shares no distribution of
 profits shall be made *without the*
 20 *general or special order of Govern-*
ment in this behalf, and

(b) in the case of a Resource
 society on a basis of unlimited
 liability in which the members do
 25 hold shares no such distribution of
 profits shall be made until 10 years
 from the date of registration of the
 society have elapsed

41. Any registered society may
 establish a provi-
 5 Provident Fund dent fund for its
 members out of contributions from
 such members in accordance with
 by-laws made by the society in this
 behalf and may contribute to such

provident fund from its net profits, after the prescribed payments have been made to the reserve fund, provided that such provident fund shall not be used in the business of the society but shall be invested under the provisions of section 37, and provided further, that no part of such provident fund shall be considered as an asset of the society

42. With the sanction of the Registrar and after the payments prescribed by section 39 have been made to the reserve fund any ~~registered~~ society may—

(a) set aside a sum not exceeding 20 per cent of its net profits, and

(b) utilize from time to time the whole of such sum in contributing to any public or co-operative purpose, or a charitable purpose, as defined in section 2 of the Charitable Endowments Act, 1890

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Inspection of affairs

43. (1) The Registrar may of his own motion by Inquiry by Registrar himself or by a person duly authorised by him in writing in this behalf hold an inquiry into the constitution, working and financial condition of a registered society

(2) The Registrar shall hold such an inquiry as is contemplated in sub section (1) of this section —

(a) on the requisition of a registered society, duly authorised by rules made in this behalf to make such requisition, in respect of one

of its members, such member being itself a ~~registered~~ society,

(b) on the application of a majority of the Committee of a
20 ~~registered~~ *the* society,

(c) on the application of $\frac{1}{3}$ rd of the members of a ~~registered~~ *the* society

(3) All officers and members of the
25 society whose affairs are investigated shall furnish such information *in their possession* in regard to the affairs of the society as the Registrar or the person authorised by the Registrar
30 may require

(4) The result of any inquiry under this section shall be communicated to the society whose affairs have been investigated

44. (1) The Registrar may, on the application of a
Inspection of books of creditor of a re-
debted society ~~gistered~~ society,

5 inspect or direct some person authorized by him by order in writing in this behalf to inspect the books of the society

Provided that—

10 (a) the applicant satisfies the Registrar that the debt is a sum then due, and that he has demanded payment thereof and has not received satisfaction within a
15 reasonable time, and

(b) the applicant deposits with the Registrar such sum as security for the costs of the proposed inspection as the Registrar may
20 require

(2) The Registrar shall communicate the result of any such inspection to the creditor

45. Where an inquiry is held under section 43 or an inspection is made under section 44 the Registrar or ~~person authorised by him to hold the inquiry or make the inspection~~ may apportion the costs, or such part of the costs, as he may think right, between the society, the members or creditor demanding the inquiry or inspection, ~~and the officers or former officers, and members or past members of the society~~

5

10

46. Any sum awarded by way of costs under section 45 may be recovered, on application by the Registrar or ~~person holding an inquiry~~ to a Magistrate having jurisdiction in the place where the person from whom the money is claimable actually and voluntarily resides, or carries on business, by the distress and sale of any moveable property within the limits of the jurisdiction of such Magistrate belonging to such person, and such Magistrate shall proceed to recover the same in the same manner as if it were a fine imposed by himself

5

10

15

Liquidation and Arbitration

47 If the Registrar after an inquiry has been held under section 43 or ~~Dissolution order~~ *Winding up* after an inspection has been made under section 44 or on receipt of an application made by ~~2~~ ³ths of the members of a registered society present at a general meeting, or of his own motion, in the case of societies that have not commenced working, or have ceased working, or possess shares or members' deposits not exceeding Rs 500, is of opinion that the society ought to be wound up, he may issue an order directing it to be wound up,

5

10

15

and when necessary, may appoint a liquidator for the purpose

~~48 — (1) Any member of society~~
~~may within two~~
 Appeal ~~months of the~~
~~date of an order~~

5 ~~under section 47 appeal from such order~~
~~to Government~~

~~(2) If such an appeal is made the~~
~~society shall not be dissolved until such~~
~~order has been confirmed by Government~~

49 48 Where it is a condition of the

Society may be wound registration of a
 up if membership is society that it
 reduced shall consist of at

5 least ten members who are majors the
 Registrar may by order in writing
 direct the society to be wound up, if at
 any time it is proved to his satisfaction
 that the membership has been reduced
 10 to less than 10

50 49. When the affairs of a society

for which a
 Effect of cancellation liquidator has
 of registration. been appointed

5 under section 47 have been wound
 up, or, where no liquidator has
 been appointed, after two months
 from the date of an order under
 section 47, or after the confirmation
 10 of such order ~~under section 45 in appeal~~,
 the Registrar shall make an order
 cancelling the registration of the so-
 ciety, and the society shall be deemed
 to be dissolved from the date of such
 15 order

51 50. A liquidator appointed under
 section 47 shall

Winding up have power with
 Liquidation procedure the sanction of
 5 the Registrar to
 do all or any of the following things —

(a) pay any class or classes of
 creditors in full,

(b) make any compromise or arrangement with creditors or persons claiming to be creditors or having or alleging themselves to have any claim, present or future whereby the society may be rendered liable, 10
15

(c) to compromise all calls or liabilities to calls and debts, and liabilities capable of resulting in debts and all claims, present or future, certain or contingent, subsisting or supposed to subsist between the society and a contributory or alleged contributory or other debtor or person apprehending liability to the society and all questions in any way relating to or affecting the assets or the winding up of the society on such terms as may be agreed and take any security for the discharge of any such call, liability, debt, or claim and give a complete discharge in respect thereof, 20
25
30

(d) from time to time to determine the contribution to be made or remaining to be made by the members or past members or by the estates or nominees, heirs or legal representatives of deceased members or by any officer, to the assets of the society, such contribution including debts due from such members or persons In a society with unlimited liability such contributions shall be determined at the discretion of the liquidator and not necessarily in any definite proportion as between the contributories, 35
40
45

(e) to institute and defend suits and other legal proceedings on behalf of the society in the name of his office 50

Bom V
of 1879

- 55 (f) to issue requisitions under section 187 of the Bombay Land Revenue Code, 1879, 59 upon the Collector for the summary recovery as arrears of land revenue of any sum ordered by him to be recovered as dues from members or as a contribution to the assets of the society or to the cost of liquidation ,
- 60 (g) ~~to move the Registrar to get disputes referred~~ to arbitration ,
- 65 (h) to investigate all claims against the society and subject to the provisions of this Act to decide questions of priority arising out of such claims,
- 70 (i) to determine by what persons and in what proportion the cost of the liquidation shall be borne ,
- 75 (j) to give such directions in regard to the collection and distribution of the assets of the society as may appear to him to be necessary for winding up the affairs of the society ,
- 80 (k) to fix the time or times within which creditors shall prove their debts or claims or be included for the benefit of any distribution made before those debts are proved
- 85 (l) to carry on the business of the society so far as may be necessary for the beneficial winding up of the same
- 52 --(1) ~~Where, in the course of the winding-up of a~~
~~Power of Registrar to assess damages against delinquent promoters, etc~~ ~~society it appears that any person who has taken part in the organization or management of the society or any past or present chairman, secretary, member of the managing committee or officer of the~~
- 5
- 10

~~society has misapplied or retained or become liable or accountable for any money or property of the society or has been guilty of misfeasance or breach of trust in relation to the society, the Registrar may, on the application of the liquidator or of any creditor or contributory, examine into the conduct of such person and make an order requiring him to repay or restore the money or property or any part thereof respectively with interest at such rate as the Registrar thinks just or to contribute such sum to the assets of the society by way of compensation in regard to the misapplication, retainer, misfeasance or breach of trust as the Registrar thinks just~~

15

20

25

~~(2) This section shall apply notwithstanding that the act is one for which the offender may be criminally responsible~~

30

53 51 Save in so far as is expressly provided in this Act no civil court shall take cognizance of any matter connected with the winding up or dissolution of a registered society under this Act and when a winding up order has been made no suit or other legal proceeding shall lie or be proceeded with against the society except by leave of the Registrar and subject to such terms as he may impose

5

10

54 52 After all the liabilities of a society which has been wound up, not being a housing society, have been met the surplus assets shall not be divided among its members but may either be assigned by the Registrar to may in consultation with them either be assigned by the

Bar of suit in winding up and dissolution matters

Disposal of surplus assets

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- 10 *Registration in whole or in part to any or*
all of the following —
 (b) (a) ~~to~~ an object of public utility
of local or communal interest, or
 (c) (b) ~~to~~ a charitable purpose as
 15 defined in section 2 of the Charitable Endowments Act, 1890,
 (a) (c) the Central Co-operative Institute, Bombay, or
 20 may be placed on deposit into the
~~Bombay~~ a Central Co-operative Bank
 until such time as a new society with
 similar conditions of registration is
 registered when if the Registrar thinks
 proper such surplus may be credited
 25 to the reserve fund of such new society
 55 53 Where the society that has
 been wound up is
 Surplus assets of housing society a housing society
 all the surplus
 5 assets including both moveable and
 immoveable property shall, subject to
 all existing rights and equities, vest in
 the Central Co-operative Institute,
 Bombay, until such time as a new
 10 society with similar conditions of
 registration is registered when with
 the previous sanction of Government
 such surplus assets may be transferred
 to the new society
 55 54 If any dispute touching the
 Arbitration business of a registered society arises
 5 between members or past members
 of the society or persons claiming
 through a member or past member
 or between members or past members
 or persons so claiming and any officer,
 agent, or servant of the society or
 10 between the society or its committee, and any officer, agent, member or servant of the society, it shall
 be referred to the Registrar for decision, and if he so directs, to arbitration,
 15 tion, and the Registrar on receiving

notice of such dispute may at his discretion either decide the dispute himself or may appoint an arbitrator or arbitrators to decide it

A dispute shall include claims by a society for debts or demands due to it from a member or past member or the heirs or assets of a past member whether such debts or demands be admitted or not

Provided that if the question at issue between a ~~registered~~ society and a claimant, or between different claimants, is one of inheritance involving complicated questions of law and fact, the Registrar may, if he thinks fit, suspend proceedings in the matter until the question has been tried by a regular suit instituted by one of the parties or by the ~~registered~~ society If no such suit is instituted within six months of the Registrar's order suspending proceedings the Registrar shall appoint an arbitrator to decide the question

57 55 Where a dispute has been referred to arbitration under section 56 54 or clause (g) of section 50, the Registrar or arbitrator or arbitrators, as the case may be, may, if satisfied on inquiry or otherwise, that a party to such arbitration with intent to delay or obstruct the execution of any award that may be made,—

(a) is about to dispose of the whole or any part of his property, or

(b) is about to remove the whole or any part of his property from the jurisdiction of the Registrar,

the Registrar or arbitrator or arbitrators may *unless adequate security is furnished* direct the conditional

Rule 55 O P
(1, 1908)

attachment of the said property, and such attachment shall have the same effect as if made by a competent Civil Court

58. 56 Any party aggrieved by ~~the award of an~~
 Appeal against award of arbitrator or arbitrators made under
 section 56 54 or an order passed under
 section 55 by an arbitrator or arbitrators may within one month of the date of the award appeal to the Registrar

59 ~~Where the Registrar has himself under the~~
 Appeal against order of Registrar provision of section 56 decided a
 dispute any person aggrieved by the decision may appeal to the Registrar within one month of such decision

60 57 An order passed in appeal under section 58
 Finality of order or section 54 56
 shall be final and conclusive The
 5 award of an arbitrator or arbitrators or a decision by the Registrar under section 56 54 shall not be liable to be called in question in any civil or revenue court

61 58. Wherever in this Act it is provided that the
 Award or decision how enforced Registrar or person duly authorized by general or special order in
 5 Powers to enforce attendance writing by the Registrar in this behalf being an auditor, liquidator or arbitrator appointed under this Act,
 10 shall hold an inquiry under section 43 or shall make an inspection under section 44 or shall wind up a registered society or shall arbitrate, such Registrar, or person authorized, auditor, liquidator or arbitrator,
 15 as the case may

be, shall have the power to summon and enforce the attendance of witnesses including the parties interested or any of them and to compel them to give evidence, and to compel the production of documents by the same means and as far as possible in the same manner as is provided in the case of a civil court by the Code of Civil Procedure, 1908

20

25 V of 1908

62 59 (1) ~~All money ordered by a liquidator~~ *All orders issued by a liquidator under section 51 50 or by the Registrar under section 52 01 by an arbitrator under section 56 54 to be recovered as a debt owed to a registered society or as a contribution to the assets of such society or as the costs incurred in the determination of a dispute shall, if not paid when demanded, be recoverable carried out, be executed*

5

10

(a) on a certificate signed by the Registrar or a liquidator by any civil court in the same manner as a decree of such court, or

15

(b) according to the law and under the rules for the time being in force for the recovery of arrears of land revenue provided that any application for the recovery in such manner of any such sum shall be made to the Collector and shall be accompanied by a certificate signed by the Registrar or by an Assistant Registrar to whom the said power has been delegated by the Registrar

20

25

(2) *When the property attached in execution of an order referred to in clause (1) cannot be sold for want of buyers, the same may be handed over to a society with the previous consent of the Registrar on such terms and conditions as may be agreed upon*

30

35 *between the Collector and the said society*

Offences

- 64 60 It shall be an offence under this Act if—
- Offences
- 5 (a) a ~~registered~~ society or an officer or member thereof fails *without any reasonable excuse* to give any notice, send any return or document, do or allow to be done anything which the society, officer or member is by this Act required to give send, do or allow to be done or
- 10
- 15 (b) a ~~registered~~ society or an officer or a member thereof wilfully neglects or refuses to do any act or to furnish any information required for the purposes of this Act by the Registrar or other person duly authorized by him in writing in this behalf or
- 20
- 25 (c) a ~~registered~~ society or an officer or member thereof *wilfully* makes a false return or *wilfully* furnishes *false* information ~~in any respect false or insufficient~~ or
- 30
- 35 (d) any person *wilfully or without any reasonable excuse* disobeys any summons, requisition or lawful written order issued under the provisions of this Act or does not
- 40 furnish any information lawfully required from him by a person

authorized to do so under the provisions of this Act

65. 61 Every society, officer or member of a society or other person guilty of an offence under this Act for which no penalty is expressly provided herein shall be liable to a fine not exceeding Rs 200 50

66 62 (1) No court inferior to that of a Presidency Magistrate or a Magistrate of the first class shall try any offence under this Act 5

(2) Notwithstanding anything contained in the Code of Criminal Procedure, 1898, every offence under this Act shall, for the purposes of the said code, be deemed to be non-cognizable 10

(3) No prosecution under this Act shall be lodged without the previous sanction of the Registrar, which shall not be given except after hearing the party concerned 15

Appeals

63 An appeal against an order or decision of the Registrar under section 10, 16, 45, 47 or 54 may be made by any party aggrieved or affected by the order to Government within two months of the date of the communication of the order 5

Miscellaneous

67 64 (1) All sums due from a registered society or from an officer or member or past member of a registered society as such to Government, including any costs awarded to Government under section 45, may be recovered according to the 5

10 law and under the rules for the time
being in force for the recovery of
arrears of land revenue

(2) Sums due from a registered
society to Government and recoverable
under sub-section (1) may be recovered,
15 firstly, from the property of the
society, secondly, in the case of a
society of which the liability of the
members is limited, from the members
or past members subject to the limit
20 of their liability, and, thirdly in the
case of other societies, from the mem-
bers or past members

(3) The liability of past members
shall in all cases be subject to the
25 provisions of section 28

68 65 Notwithstanding anything
contained in this
Power to exempt societies from conditions
as to registration Act, Government
5 may, by special
order in each case
and subject to such conditions, if any,
as it may impose, exempt any society
from any of the requirements of this
Act as to registration

69 66 Government may, by
general or special
Power to exempt registered societies
from provisions of Act order to be pub-
5 lished in the Bom-
bay Government
Gazette, exempt
any registered society or class of regis-
tered societies from any of the provi-
sions of this Act, or may direct that
10 such provisions shall apply to such
society or class of societies with such
modifications as may be specified in
the order, provided that no order to
15 the prejudice of any society shall be
passed without an opportunity being
given to such society to represent its
case

63 67 (1) No person other than a ~~registered~~ society
 Prohibition of the use of the word "co-opera-
 tive" ~~registered under this Act~~ shall
 without the sanc- 5
 tion of Government trade or carry on
 business under any name or title of
 which the word "co-operative" or its
 vernacular equivalent forms part

Provided that nothing in this sec- 10
 tion shall apply to the use by any per-
 son or his successor in interest of any
 name or title under which he traded or
 carried on business at the date on
 which this Act comes into operation 15

(2) Whoever contravenes the provi-
 sions of this section shall be punishable
 with fine which may extend to fifty
 rupees and in the case of a continuing
 offence with further fine of five rupees 20
 for each day on which the offence is
 continued after conviction therefor

70 68 The provisions of the
 Indian Companies Act, 1913, shall VII of 1913
 not apply to ~~registered~~ societies, ~~registered under this~~
~~Act~~ 5

69 Every Co-operative Society regis-
 tered outside the
 Branches, etc., of Socie- Bombay Presi-
 ties outside the Presi- dency, which has or
 dency establishes a branch 5
 or place of business in the Bombay
 Presidency shall within six months from
 the commencement of this Act or from
 the establishment of such branch or place
 of business, file with the Registrar a 10
 certified copy of the bye-laws and amend-
 ments and, if these are not written in the
 English language, a certified translation
 thereof, and shall submit to the Registrar
 such returns and information as are 15
 submitted by similar societies in the

Bombay Presidency in addition to those submitted to the Registrar of the place where it is registered

70 No suit shall be instituted against
Notice necessary in suits a society or any of
 its officers in respect
 of any act touching the business of the
 5 society until the expiration of two months
 next after notice in writing has been
 delivered to the Registrar or left at his
 office, stating the cause of action, the
 name, description and place of residence
 10 of the plaintiff and the relief which he
 claims, and the plaint shall contain a
 statement that such notice has been so
 delivered or left

71. (1) Government may, for the
 whole or any part
 Rules of the presidency
 and for any registered society or class
 5 of such societies, make rules to carry
 out the purposes of this Act

(2) In particular and without pre-
 judice to the generality of the foregoing
 power such rules may—

10 (a) subject to the provisions of
 section 6, prescribe the maximum
 number of shares or portion of the
 capital of a society which may be
 held by a member,

15 (b) prescribe the forms to be used
 and the conditions to be complied
 with in the making of applications
 for the registration of a society and
 the procedure in the matter of such
 applications

25 (c) prescribe the matters in respect
 of which a society may or shall make
 by-laws and the procedure to be
 followed in making, altering and
 abrogating by-laws and the condi-
 tions to be satisfied prior to such
 making, alteration or abrogation,

(d) prescribe the conditions to be complied with by persons applying for admission or admitted as members and provide for the election and admission of members and the payment to be made and the interests to be acquired before the exercise of the right of membership , 30

(e) provide for ascertaining the value of a deceased member's share or interest , 35

(f) provide for general meetings of the members and for the procedure at such meetings and the powers to be exercised by such meetings , 40

(g) provide for the appointment, suspension and removal of the members of the committee and other officers and for the procedure at meetings of the committee and for the powers to be exercised and the duties to be performed by the Committee and other officers , 45

(h) prescribe the accounts and books to be kept by a society and provide for the audit of such accounts and the charges, if any, to be made for such audit, and for the periodical publication of a balance sheet showing the assets and liabilities of a society , 50

(i) prescribe the returns to be submitted by a society to the Registrar and provide for the persons by whom and the form in which such returns shall be submitted , 55

(j) provide for the persons by whom and the form in which copies of entries in books of societies may be certified, and for the changes to be levied for the supply of such copies , 60

(k) provide for the formation and maintenance of a register of members 65

and where the liability of the members is limited by shares, of a register of shares ,

75 (l) prescribe the payments to be made and the conditions to be complied with by members applying for loans, and the period for which loans may be made, and the amount which may be lent to an individual member ,

80 (m) prescribe the prohibitions and restrictions subject to which ~~reserve~~ societies may trade with persons who are not members ,

85 (n) provide for the formation and maintenance of reserve funds, and the objects to which such funds may be applied, and for the investment of any funds under the control of a society

90 (o) prescribe the extent to which a society may limit the number of its members ,

95 (p) prescribe the conditions under which profits may be distributed to the members of a registered society and the maximum rate of dividend which may be paid by societies ,

100 (q) ~~subject to the provisions of section 48 determine in what cases an appeal shall lie from the orders of the Registrar and~~ prescribe the procedure to be followed in presenting and disposing of such appeals ,

105 (r) provide for securing that the share capital of any registered society shall be variable in such a way as may be necessary to secure that shares shall not appreciate in value and that necessary capital shall be available for the society as required ,

(s) provide that persons qualified under the by-laws of a society shall not be excluded from membership without due cause , 115

(t) prescribe the procedure to be followed by a liquidator appointed under section 47 ,

(u) prescribe the mode of appointing an arbitrator or arbitrators and the procedure to be followed in proceedings before the Registrar or such arbitrator or arbitrators and for fixing and levying the expenses of determining the dispute , 120 125

(v) provide for the issue and service of ~~summons~~ processes and for proof of service thereof ,

(w) provide for the writing off of bad debts , 130

(x) regulate the manner in which funds may be raised by means of shares or debentures or otherwise ,

(y) provide for the withdrawal and expulsion of members and for the payments to be made to them and for the liabilities of past members , 135

(z) provide for the nomination of a person to whom the interest of a deceased member may be paid or transferred , 140

(aa) prescribe the cases in which an appeal shall lie from the order of a liquidator appointed under section 47 , and 145

(bb) provide for the inspection of documents in the Registrar's office and the levy of fees for granting certified copies of the same , 150

(cc) prescribe the procedure to be followed for the custody of property attached under section 55 , and

(dd) provide for the payment of contributions at such rates and subject 155

to such conditions as may from time to time be prescribed by Co-operative Societies to any provident fund which may be established for the benefit of officers and servants employed by them

(3) Government may, subject to such conditions, if any as it thinks fit, delegate all or any of its powers to make rules under this section to any authority specified in the order of delegation

(4) The power to make rules conferred by this section is subject to the condition of the rules being made after previous publication

~~(5) All rules made under this section shall be published in the "Bombay Government Gazette" and on such publication they shall have effect as if enacted in this Act~~

(5) No rules made under this section shall be issued by Government unless they have been laid in draft before the Legislative Council and have been approved by a resolution of the Council either with or without modification, on such approval the rules in their final form shall be published in the Bombay Government Gazette and shall thereupon have effect as if enacted under this Act

72. (1) Every society now existing which has been ^{Saving of existing registered under societies} the Co-operative X of 1904 Credit Societies Act, 1904, or under the Co-operative Societies Act, II of 1912 1912, shall be deemed to be registered under this Act, and its by-laws shall, so far as the same are not inconsistent with the express provisions of this Act, continue in force until altered or rescinded

(2) All appointments, rules and orders made, notifications and notices issued and suits and other proceedings instituted, under the said Acts shall, so far as may be, be deemed to have been respectively made, issued and instituted under this Act 15

73 The enactments specified in the Schedule are hereby repealed in so far as they apply to the Bombay Presidency to the extent specified in the fourth column of the said schedule 5

SCHEDULE

Enactments repealed

(See section 73)

Year	No	Short title	Extent of repeal
1912	II	The Co operative Societies Act 1912	The whole
1920	XXXVIII	The Devolution Act, 1920	So much as relates to Act II of 1912
1920	I	The Bombay Land Revenue Code (Amendment) Act 1920	The whole

BILL No XVIII OF 1924

*(A Bill to determine the salary of the President
of the Bombay Legislative Council)*

REPORT OF THE SELECT COMMITTEE

We, the undersigned members of the Select Committee appointed to consider Bill No XVIII of 1924 (A Bill to determine the salary of the President of the Bombay Legislative Council), have the honour to report as follows

2 We think that the elected President of the Bombay Legislative Council should be paid a salary of Rs 3,000 a month and that unlike the Deputy President the President should be a whole time servant of the Council. We have therefore amended the Bill to this effect

3 We recommend that the Bill as amended should be translated into Marathi, Gujarati, Sindhi, Kanarese and Urdu, and should be published with the translations in the *Bombay Government Gazette*

M H W HAYWARD

L S HUDSON

L B BHOPATKAR

S T KAMBLI

A M MANSURI

S N BHUTTO

B G PAHALAJANI

(subject to a minute of dissent)

G B PRADHAN

Poona, 12th September 1924

(Minute of dissent by Mr B G Pahalajani, M L C)

The expression added is indefinite. The President by the words perhaps becomes a public servant which I object to. I would therefore be in favour of omission of the sentence added.

Dated 3rd September 1924

B G PAHALAJANI

BILL No XVIII OF 1924

*A Bill to determine the salary of
the President of the Bombay
Legislative Council*

(As amended by the Select Committee)

5 & 6 Geo 5
(1911)

WHEREAS in accordance with sub-section (5) of section 72C of the Government of India Act the salary of the elected President of the Bombay Legislative Council is to be determined by Act of the said Council, It is hereby enacted as follows -

1. This Act may be called the
President's
Short title Salary Act,
192

2. There shall be paid to the
Salary of elected President elected President of the
Bombay Legislative Council a salary calculated at the rate of three thousand rupees a month so long as he devotes the whole of his time to the use of the said Council

APPENDIX 61

BILL No. XXI OF 1924.

*A Bill to make better provision in the
City of Bombay and elsewhere in the
Bombay Presidency to prevent the
adulteration of articles of food and
the sale of such adulterated articles*

**(As published in the "Bombay
Government Gazette" of the
13th August 1924)**

(1) B = Sur
geon Gene
ral's Draft
Bill) WHEREAS it is expedient to make
better provision in the City of Bombay
and elsewhere in the Bombay

	or village or any place wherein a market or fair is held or any area which the Governor in Council by notification declares to be a local area for the purposes of this Act	20
<i>Cf s 2 (g)</i> D B	(c) "Local Authority" means in the case of the City of Bombay the Municipal Commissioner acting under the general or special orders of the Corporation, in the case of any other municipality the municipality, in the case of a cantonment the cantonment authority, in the case of a notified area the person or committee appointed under section 188 of the Bombay District Municipal Act, 1901, in the case of a local area for which a village panchayat has been established under the Bombay Village Panchayats Act, 1920, the district local board of the district in which the local area is situate, and in the case of any other local area the district magistrate of the district in which such local area is situate or the sub-divisional magistrate in charge of the sub-division in which such local area is situate who is appointed by the district magistrate to be the local authority for the purposes of this Act	25 30 35 40 45 50
Bom III of 1901		
Bom IX of 1920		
<i>Cf s 38 & 39</i> Vict, c 63 <i>Cf s 4, D B</i>	3 Any person who mixes, colours, stains or powders or orders or permits any other person to mix, colour, stain or powder any article of food with any matter or ingredient so as to render the article injurious to health with intent that the same may be sold in that state or sells or offers or exposes for sale any such article so mixed,	5 10

15 coloured, stained or powdered shall be punished for the first offence with a fine which may extend to five hundred rupees and for every subsequent offence with a fine which may extend to one thousand rupees

20 Provided that no person shall be liable to be convicted in respect of the sale of any article of food if he proves to the satisfaction of the Court before whom he is charged that he did not know of the article of food being so mixed, coloured, stained or powdered as aforesaid and that he could not with reasonable diligence have obtained such knowledge

30 4 (1) Any person who sells or manufactures, offers or exposes for sale any article of food which is not of the nature, substance or quality which it purports to be shall be punished for every first offence with a fine which may extend to two hundred rupees and for every subsequent offence with a fine which may extend to one thousand rupees

15 (2) Provided that no offence shall be deemed to have been committed under this section in the following cases, that is to say—

20 (a) where any matter or ingredient not injurious to health has been added to the article of food because such matter or ingredient is required for the production or preparation thereof

as an article of commerce in a state fit for carriage or consumption and not fraudulently to increase the bulk, weight or measure of the food or conceal the inferior quality thereof, 30

(b) where—

(1) any matter or ingredient not injurious to health has been added to or mixed with or abstracted from any article of food, or 35

(ii) any article of food composed of any matter or ingredients not injurious to health and, before the sale thereof, the seller has brought to the notice of the purchaser, by means of a label conforming to such conditions as may be prescribed by rules in this behalf, the fact that such matter or ingredient has been so added, mixed or abstracted or the article is composed of such matter or ingredients 40 45 50

Cf s 3 Bom
II of 1890
Cf s 7 D B

Explanation 1—Ghee or butter which contains any substance not exclusively derived from milk shall be deemed to be an article of food not of the nature, substance or quality it purports to be 55

Cf s 6 (2), D
B

Explanation 2—The presence upon any premises used for the manufacture of any article of food of any such article shall, until the contrary is proved, raise a presumption that such article was manufactured for sale 60

Cf s 8 D B
Cf s 3 (3),
Bom II of
1890

(3) In any prosecution under this section it shall be no defence to allege that the seller was ignorant of the nature, substance 65 70

What is or is not
a good defence in
prosecutions under
this section

or quality of the article of food sold by him, or that the article was not defective in all three respects, namely, nature, substance and quality

75

Provided that the seller shall not be deemed to have committed an offence under this section if he proves to the satisfaction of the court—

80

(a) that the article sold was purchased by him as the same in nature, substance and quality, as that demanded by the purchaser and with a written warranty to the effect that it was of such nature, substance and quality,

85

(b) that he had no reason to believe at the time when he sold it that the article was not of such nature, substance and quality as aforesaid, and

90

(c) that he sold it in the same state in which he purchased it

5 Any person who in respect of an article of food *Of s 20, (2) & 30 Vict, c 51*

Penalty for false warranty sold by him as principal or agent gives to the purchaser a false warranty in writing shall be punished for every first offence with a fine which may extend to 100 rupees and for every subsequent offence with a fine which may extend to 500 rupees

10

6. (1) Save as provided in sub-section (2) *Of s 3, D B & 30 Vict, c 63*

Appointment of the Governor in Council may by

5 notification in the *Bombay Government Gazette* appoint any person possessing competent knowledge skill and experience to be a public

analyst for the purpose of the Act
for any local area 10

(2) The Corporation of the City of
Bombay may appoint any such
person to be a public analyst for the
purpose of the Act for the City of
Bombay 15

*Cf s 10, 38 &
39 Vict c
63
Of s " D B*

7 Any purchaser of an article
of food shall,
Power to purchaser
of an article of food within the seven
to have food analysed days after the day
of the purchase, be entitled, on pay- 5
ment to the public analyst of the
local area in which the article is
purchased, of such sum as the
Governor in Council may in
the *Bombay Government Gazette* 10
from time to time notify, to
have such article analysed by such
analyst and to receive from him
in the form specified in Schedule A
a certificate of the result of 15
his analysis The analyst shall
forthwith send a copy of every
such certificate to the local autho-
rity of the local area for which he
was appointed 20

*Cf s 10,
D B
Of s 13
D B*

8 A local authority may, sub-
ject to rules made
Appointment of by the Governor
Inspector in Council in this
behalf, appoint any person to 5
be an inspector under this Act
either specially for any article
of food or generally for all articles
of food

*Cf s 13, 38 &
39 Vict, c
63
Of s 10,
D B*

9 An inspector may, himself
Inspector may ob or by an agent,
tain sample of food procure any sam-
and submit to analyst ple of food, and
if he suspects that such food has 5
been sold contrary to the provisions
of this Act, shall send such
food to be analysed to the

10 public analyst of the local area
 within which the food was pro-
 cured, and such analyst shall, upon
 receiving payment of the sum speci-
 fied in section 7, with all convenient
 15 speed analyse the same and de-
 liver to such inspector in the form
 specified in Schedule A a certi-
 ficate of the result of his analysis.
 The analyst shall forthwith send
 20 a copy of every such certificate to
 the local authority of the local area
 for which he was appointed.

10 (1) Any person purchasing ^{of 14 s}
 any article or ^{8 80 Vol}
 sample of food ^{61 11 11}
 with the inten-
 5 tion of sending such article or
 sample for analysis shall, after
 the purchase shall have been com-
 pleted, forthwith notify to the
 seller or his agent selling the article
 10 or sample his intention to have
 such article or sample analysed
 by the public analyst, and shall
 offer to divide the article or sample
 into three parts to be then and
 15 there divided and each part to be
 marked and sealed and fastened
 in such manner as its nature permits,
 and shall, if required to do so, pro-
 ceed accordingly and shall deliver
 20 one of the parts to the seller or his
 agent.

(2) If the seller or his agent do ^{of 11 14}
 not accept the ^{8 10 Vol}
 offer of the pur-
 25 chaser to divide
 the article or sample purchased in
 his presence, the public analyst
 receiving the article or sample
 shall divide such article or sample
 30 into two parts and shall seal or
 fasten up one of those parts and
 shall cause it to be delivered,

either upon receipt of the article
or sample or when he supplies
his certificate, to the purchaser, 35
who shall retain such part for
production in case proceedings
under this Act in respect of such
article or sample should afterwards
be taken 40

*Cf s 17 38 &
39 Vict, c
63
Cf s 1, D
B*

11 If any inspector duly autho-
rised under sec-
tion 8 shall ap-
ply to purchase
any sample of food manufactured, 5
exposed or offered for sale, whether
wholesale or retail, and shall tender
the price for the quantity which
he shall require for the purpose of
analysis not being more than shall be 10
reasonably requisite and the person
manufacturing, exposing or offer-
ing such food for sale refuses to
sell such sample the person so
refusing shall be punished with a 15
fine which may extend to two hun-
dred rupees

*(f s 15 D
B*

12 No offence under this Act
shall be triable
by a magistrate
exercising powers
less than those of a magistrate of 5
the second class

*(f s 17, D
B
Cf s 1 (c)
Food Act
1899*

13 (1) No summons shall be
issued for the
attendance of a
person accused
of an offence under this Act unless 5
the summons is applied for within
thirty days of the date of the grant
of the certificate by the public analyst
of the result of his analysis
(2) Every such summons shall 10
specify the particulars of the offence
charged, the name of the complain-
ant and the date fixed for the

15 hearing of the case The case shall
not be proceeded with until at least
seven clear days have elapsed from
the date of the service of the
summons

14 (1) The production in any *Cf s 14(2)*
proceedings under *D B*
this Act of a *Cf s 21 38 &*
certificate of a *39 V 11 (*
5 public analyst in
the form specified
in Schedule A shall, until the contrary
is proved, be sufficient evidence of
the facts therein stated

10 (2) The court may, of its own
accord or on the request of the com-
plainant, or the accused, cause any
article or sample of food to be sent
15 for analysis to the Chemical Analyser
to Government who shall thereupon
with all convenient speed analyse
the same and report the result of the
analysis to the court The cost of
20 such analysis shall be paid by the
complainant or accused as the court
shall direct

15 When any person accused *Cf s 14*
of an offence *D*
under this Act
proposes to pro-
5 duce as evidence
a certificate of analysis of an
analyst other than a public
analyst he shall, at least three
days before the date fixed for
10 the hearing of the case, send
a copy of such certificate to the
person conducting the prosecution

16 When any person is accused *Cf s 14*
of an offence *D B*
under this Act
he may require
5 the court to summon as a witness
the public analyst who analysed the

article or sample of food in respect of which he is accused of an offence and the court shall thereupon summon the analyst as aforesaid 10

Cf. s. 159
Bom III of
1901

17 It shall be lawful for an inspector appointed under this Act to enter for the purposes of this Act at all reasonable times into or upon any place which he has reason to believe is used for the manufacture or sale of any food 5

Provided that in the case of buildings used as human dwellings due regard shall be paid to the social and religious customs of the occupiers 10

Cf. s. 140 (1),
Bom IV of
1902

18 No person shall be liable to any penalty or to payment of damages on account of any act done in good faith in pursuance or intended pursuance of any duty imposed or authority conferred on him by any provision of this Act or of any rule, order or direction lawfully made or given thereunder 10

19. The Governor in Council may, after previous publication, and in the case of the City of Bombay in consultation with the Corporation of the City of Bombay, make rules, not inconsistent with the provisions of this Act, for— 5

- (a) regulating the appointment of inspectors under section 8, 10
- (b) prescribing the qualifications of inspectors,
- (c) determining what deficiency in any of the normal constituents of any article of food or what addition of extraneous 15

20 matter shall raise a presumption,
 until the contrary is proved, that
 such food is injurious to health
 within the meaning of section
 3 or is not of the nature, sub-
 stance or quality it purports to
 be within the meaning of section
 4 and a public analyst shall have
 25 regard to such rules in certifying
 the result of an analysis under
 this Act, and

(d) generally for carrying out
 the provisions of this Act

20. On the coming into operation
 of the provisions of
 Repeal this Act in any
 local area in res-
 5 pect of any article of food, the enact-
 ments specified in Schedule B shall
 be deemed to have been repealed
 to the extent specified in the third
 column of the said Schedule in respect
 10 of such article in such local area

SCHEDULE A

(SEE SECTION 14)

Form of Certificate

To*

I, the undersigned public analyst for the _____, do hereby certify that I received on the _____ day of _____ 192____, from _____, a sample of _____ for analysis (which then weighed _____), and have analysed the same, and declare the result of my analysis to be as follows —

I am of opinion that the same is a sample of genuine _____ or,

I am of opinion that the said sample contained the parts as under, or the percentages of foreign ingredients as under

Observations §

Dated _____

Signature _____

*Here insert the name of the person submitting the article for analysis

†Here insert the name of the person delivering the sample

[When the article cannot be conveniently weighed, this passage may be erased, or the blank may be left unfilled

§Here the analyst may insert, at his discretion, his opinion as to whether the mixture (if any) was for the purpose of rendering the article portable or palatable or of preserving it, or of improving the appearance, or was unavoidable and may state whether in excess of what is ordinary, or otherwise and whether the ingredients or materials mixed are or are not injurious to health

In the case of a certificate regarding milk butter, or any article liable to decomposition, the analyst shall specially report whether any change had taken place in the constitution of the article that would interfere with the analysis

SCHEDULE B

(See SECTION 20)

Enactments Repealed

No. and year of Act	Title	Extent of Repeal
III of 1888	The City of Bombay Municipal Act 1888	In section 117C the number, letter and word 117A or
II of 1899	The Bombay Prevention of Adulteration Act 1899	So much as remain unrepealed except section 6
III of 1901	The Bombay District Municipal Act, 1901	Sub-section 3 of section 142
III of 1902	The Bombay District Municipal Act (1901) Amendment Act, 1902	So much of the Schedule as relates to— (a) sub-section (1) of section 142 of the Bombay District Municipal Act, 1901, and (b) sections 4, 5 and 6 of the Bombay Prevention of Adulteration Act 1899

STATEMENT OF OBJECTS AND REASONS

The object of this Bill is to provide adequate means for dealing with the adulteration of food stuffs which is prevalent throughout the Presidency and which prevalence shows the inadequacy of the provisions of the existing law. These provisions are embodied in the Bombay Prevention of Adulteration Act, 1899 (Bom. II of 1899), in section 117A of the City of Bombay Municipal Act, 1888, and in section 142 (2) of the Bombay District Municipal Act, 1901.

2 The Bombay Prevention of Adulteration Act, 1899, was passed many years ago and is very limited in scope. And the provisions incorporated by the Act in the City of Bombay Municipal Act and re-enacted as regards district municipalities by section 142 (2) of the Bombay District Municipal Act, 1901, in effect place in the same

category with diseased and unwholesome food, food which though adulterated may otherwise be harmless

3. The present bill is designed to deal comprehensively with the question of adulteration and by repealing the provisions of the City of Bombay Municipal Act, 1888, and of the Bombay District Municipal Act, 1901, relating to adulteration to bring within the limits of one bill all proceedings relating thereto

4 The Bill is based mainly upon the English Sale of Food and Drugs Act, 1875, as amended It is designed in the first place to operate in Bombay City as regards all kinds of food and thereafter in such local areas and as regards such kinds of food as the Governor in Council may notify Persons of competent experience, skill and knowledge are to be appointed public analysts by Government except in the case of the city of Bombay where the appointment is to be made by the Corporation subject to the approval of Government, but the appointment of Inspectors is, subject to rules made in this behalf, to vest in the local authorities

5 Adulteration, as constituted under this bill, is, in addition to the mixing, colouring, staining or powdering of any article of food with any matter or ingredient injurious to health, the sale or the manufacturing, offering or exposing for sale of food of a nature, substance and quality other than that which it purports to be It is however, not intended to prohibit the sale of adulterated food if such adulteration is not injurious to health and provided that such food does not purport to be unadulterated and is not sold as such The giving of a false warranty in respect of any food is also made an offence

6 Provision is made for the analysis of food purchased by the ordinary person and of food procured by inspectors, for the refusal of the seller to sell food to an inspector requiring it for analysis, for the proof of the analyst's certificate in Court, for further analysis by the Chemical Analyser to Government in case of doubt, for entry by an inspector on private premises and for the protection of officers acting in good faith Offences under the Act are to be tried by a magistrate not lower in rank than a magistrate of the second class

7 Lastly, by means of rules injurious and non-injurious adulteration can be defined

8th July 1921

(Signed) B V JADHAV

APPENDIX 62

BILL No XVII OF 1924

*A Bill further to amend the Bombay
Smoke-nuisances Act, 1912*

**(As published in the "Bombay
Government Gazette" of the
3rd July 1924.)**

WHEREAS it is expedient further to amend the Bombay Smoke-nuisances Act, 1912, in manner hereinafter appearing, It is hereby enacted as follows —

1 This Act may be called the
Short title **Bombay Smoke-
nuisances**
(Amendment) Act, 1924

2 In clause (a) of section 12 of
the Bombay
Smoke-nuisances
Act, 1912, for
5 the words "or with the written
authority of the Chief Inspector" the
words "an inspector" shall be
substituted

STATEMENT OF OBJECTS AND REASONS

The Bombay Smoke nuisances Act, 1912, has been extended to the municipal districts of Karachi and Ahmedabad, but under section 12 of the Act the Inspectors of Smoke nuisances at these places cannot make a complaint of offences under the Act before a Magistrate without first obtaining the written authority of the Chief Inspector of Smoke nuisances. This procedure is cumbrous and unnecessary and the amendment will empower Inspectors to make complaints under the Act when authorized to do so by the Smoke-nuisances Commission, or by the Sub Committees at Karachi and Ahmedabad without such written authority.

16th June 1924

COWASJI J. BHANDARI (JUN.)

APPENDIX 63

BILL No. XXIII OF 1924

*A Bill further to amend the Cattle
trespass Act, 1871*

(As published in the "Bombay
Government Gazette" of the
20th September 1924

I of 1871 WHEREAS it is expedient further
to amend the Cattle-trespass Act,
1871, in its application to the Presi-
dency of Bombay, in manner herein-
after appearing, It is hereby enacted
as follows —

1. This Act may be called the
Cattle-trespass
Short title (Amendment)
Act, 192

I of 1871 2 After the proviso to section 6
of the Cattle-
Amendment of section 6 trespass Act,
of Act I of 1871 1871, the follow-
ing shall be inserted, namely — 5

" Provided further that in the Presi-
dency of Bombay, in any local area
which has been declared to be a village
under clause (a) of section 3 of the
Bombay Village Panchayats Act, 1920, 10
when the police patel, or the head of
the village, is the Sar-Panch of the
panchayat, the panchayat may appoint
another person to be pound-keeper "

STATEMENT OF OBJECTS AND REASONS

Under section 6 of the Cattle trespass Act, 1871 (I of 1871) the police
patils, or (where there are no police patils) the heads of villages are *ex-*
officio the keepers of village pounds. Owing to the transfer in 1921 of the
functions of the District Magistrate under sections 5, 6, 12, 14 and 17
of the Act to village panchayats constituted under the Bombay Village
Panchayats Act, 1920, village pounds are controlled and pound keepers
are appointed by the village panchayat. The result is that in areas in

which village panchayats have been established under Bombay Act LX of 1920, the village patil who is *ex officio* a member of the Panchayat and is, in most cases, the Sar-Panch of the Panchayat, controls himself as pound-keeper. The object of this Bill is to remedy this anomaly.

C. V. MEHTA

3rd September 1924

APPENDIX 64

BILL No XXIV OF 1924.

A Bill further to amend the Bombay Public Conveyances Act, 1920

(As published in the "Bombay Government Gazette" of the 22nd September 1924)

WHEREAS it is expedient to amend the Bombay Public Conveyances Act, 1920, in manner hereinafter appearing, ^{Bom. VII of 1920} It is hereby enacted as follows

1 This Act may be called the ^{Short title} Bombay Public Conveyances (Amendment) Act, 192

2 For sub-section (5) of section 36 of the Bombay Public Conveyances Act, 1920, ^{Amendment of section 36 of Bom. VII of 1920} Bom. VII of 1920

5 the following sub-section shall be substituted, namely --

10 " (5) In any area to which this Act or any specified provisions thereof have been extended under sub-section (1) of this section, the cost of administering this Act shall be met from the fees charged in such area under this Act, or rules made thereunder

15 Any balance remaining after the cost of administering this Act or any specified provisions thereof in

such area has been met, shall be paid to the local authority for such area 20

Provided that where there is more than one local authority for such area such balance shall be paid to such local authorities in such proportion as the Commissioner in Sind or the Commissioner of the Division, as the case may be, shall direct " 25

STATEMENT OF OBJECTS AND REASONS

Section 36 (5) of the Bombay Public Conveyances Act, 1920, enacts that where the Act or any of its provisions have been extended to any local area the balance remaining from fees charged under the Act or rules shall be paid to the local authority administering the Act in such an area. A 'local authority' is defined in section 3 (26) of the Bombay General Clauses Act, 1904, and includes any authority legally entitled to administer or entrusted by Government with the administration of municipal or local funds. But the Bombay Public Conveyances Act is administered by the police and not by any local authority and this fact has made the meaning of the section obscure. The amendment is intended to remove this difficulty.

M H W HAYWARD.

23rd August 1924

APPENDIX 65

BILL No XXV OF 1924.

A Bill further to amend the City of Bombay Municipal Act, 1888

(As published in the "Bombay Government Gazette" of the 27th September 1924.)

WHEREAS it is expedient further to amend the City of Bombay Municipal Act, 1888, in manner hereinafter appearing, And whereas the previous sanction of the Governor General required by sub-section (3) of section 5

Bom III of 1888

4 In clause (b) of sub-section (2)
of section 14 of
Amendment of section 14 the said Act for
of Bom III of 1888 the words " per-
son duly authorized by power-of- 5
attorney to represent such company or
firm " the words " member of such
company or firm or any one person
holding a general power-of-attorney 10
from such company or firm whose name
has been duly communicated to the
Assessor and Collector under clause
(e) of section 28 " shall be substituted

5. In section 22 of the said Act
after the word
Amendment of section 22 " councillors "
of Bom III of 1888 the words " other
than co-opted councillors " shall be 5
inserted

6. In section
Amendment of section 23 23 of the said
of Bom III of 1888 Act—

(1) before the words " the dates " 5
occurring in the beginning of the
section the words " except as
provided in section 31A " shall be
inserted ,

(2) the fourth paragraph shall be 10
omitted

7. In sub-sec-
Amendment of section 26 tion (2) of section
of Bom III of 1888 26 of the said
Act—

(a) in clause (a) after the word 5
" election " where it occurs for the
second time the words " and up to
4 p m on the date of election " shall
be inserted , and

(b) in clause (j) 10

(i) after the word " nominated "
where it occurs for the second
time the words " dies or " shall
be inserted ,

15 (ii) for the words "three days" the words "one day" shall be substituted, and

(iii) the following further proviso shall be added, namely —

20 " Provided further that a candidate who has withdrawn his candidature shall not be allowed to cancel the withdrawal or to be renominated as

25 a candidate for the same election "

8 For section 28 of the said Act, the following section shall be substituted,

Amendment of section 28 of Bom III of 1888

5 namely —

" 28 With respect to the contested ward

Provisions respecting elections the contested ward elections following provisions shall have effect, namely —

10 (a) Votes shall be given by ballot and in person. No votes shall be received by proxy,

15 (b) no votes shall be received for any candidate whose name has not been published by the Commissioner under sub-section (2) of section 27 as having been validly nominated,

20 (c) no votes shall be received from any person whose name is not enrolled in the ward roll as a voter of the ward for which the election is being held,

25 (d) when the name in the ward roll is that of a joint-stock company, a vote on behalf of the said company may be received from its secretary, agent, managing

30 director or manager,

(e) when the name in the ward roll is that of any company other than a joint-stock company or of a firm, a vote on behalf of such company or firm may be received from any member of such company or firm whose name has been communicated to the Assessor and Collector as the representative of the company or firm who would be entitled to vote at the election on behalf of the company or firm, or where no such name has been so communicated, from any person who produces to the polling officer a general power-of-attorney from such firm or company ,

35

40

45

(f) in plural councillor wards every elector shall have as many votes as there are councillors to be elected, at such election for such ward, and may give all such votes to one candidate, or may distribute them among the candidates as he thinks fit ,

50

55

(g) the person, or where there is more than one councillor to be elected, the persons not exceeding the number of councillors to be elected, who have the greatest number of valid votes shall be deemed to be elected ,

60

(h) where an equality of votes is found to exist between any candidates and the addition of a vote would entitle any of those candidates to be declared elected the determination of the person or persons to whom such additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Commissioner in such manner as he shall determine ,

65

70

75 (i) if a candidate is elected
councillor for more than one ward,
he shall, within three days after
receipt of written notice thereof
80 from the Commissioner, choose, by
writing signed by him and deli-
vered to the Commissioner, or in
his default the Commissioner
shall, when the time for choice
has expired, declare, for which
85 of the wards he shall serve and
the choice or declaration shall be
conclusive ,

(j) when any such choice or
declaration has been made, the
90 votes recorded for the candidate
aforesaid in any ward for which
he is not to serve shall be deemed
not to have been given and the
candidate, if any, who but for
95 the said votes would have been
declared to have been elected
for such ward shall be deemed to
have been elected for the same ,

(k) the Commissioner shall, as
100 soon as may be, declare the result
of the poll, specifying the total
number of valid votes given for
each candidate, and he shall,
as soon as may be, hear and decide
105 all objections, if any, to or regard-
ing the poll, made to him in writing
not later than 5 o'clock of the
afternoon of the day after the poll
and shall cause lists to be prepared
110 for each ward, specifying the
names of all candidates, and the
number of valid and the number
of rejected votes given to each
candidate In accordance with
115 such rules as the Commissioner
may frame for the purpose and
on payment of such fee as may
be prescribed by him a copy of

such list shall be supplied to any candidate of the ward and shall be available for inspection to any voter of the ward” 120

9. After section 28 of the said Act, the following section shall be inserted, 5
 New section 29 of Bom III of 1888
 namely —

“29 (1) Subject to the provisions of this Act the Corporation shall, with the sanction of the Local Government, make rules for the conduct of elections, and in particular providing— 10

(a) for the appointment of polling stations for each ward, 15

(b) for the appointment of polling officers and other persons to assist at the poll and for the remuneration of such polling officers and other persons for their services, 20

(c) for the hours during which polling stations shall be open for the recording of votes,

(d) for the printing and for the issue of voting papers, 25

(e) for the checking of voters by reference to the electoral roll,

(f) for the manner in which votes are to be given and in particular for the case of illiterate voters or of voters under physical or other disability, 30

(g) for the procedure to be followed in respect of challenged votes, or tender of votes by persons representing themselves 35

13. After section 38 of the said Act the following
New sections 38A and 38B in Bom III of 1888 sections shall
be inserted,
namely — 5
- “ 38A (1) The Corporation may from time to time appoint, Special Committees of the Corporation out of their own body, Special Committees and may by specific resolution carried by a vote of at least two-thirds of the members of the Corporation present at the meeting delegate any of their powers and duties to such Committees, and may also by a like resolution define the sphere of business of each Special Committee so appointed, and direct that all matters and questions included in any such sphere shall, in the first instance, be placed before the appropriate committee and shall be submitted to the Corporation with such Committee's recommendation 10 15 20 25
- (2) Every Special Committee shall conform to any instructions that may from time to time be given to them by the Corporation 30
- (3) The Corporation may, at any time, dissolve or subject to any rules made by them in this behalf alter the constitution of any Special Committee 35
- (4) Every Special Committee shall appoint two of their number to be their Chairman and Deputy Chairman 40
- Provided that no member shall, at the same time, be the Chairman of more than one Special Committee

45 (5) In the absence of the Chairman or Deputy Chairman the members of the Special Committee present shall choose one of their number to preside over their meeting

50 (6) All the proceedings of every Special Committee shall be subject to confirmation by the Corporation

55 Provided that any Special Committee may by a resolution supported by at least one half of the whole number of members of the Committee direct that
60 action be taken in accordance with the decision of such Committee without waiting for confirmation of their proceedings by the Corporation, if the Committee consider that serious
65 inconvenience would result from delay in taking such action, but if the Corporation do not confirm the proceedings of the Special Committee, such steps shall be
70 taken to carry out any orders passed by the Corporation as may still be practicable

75 Provided also that, if, in delegating any of their powers or duties to a Special Committee under sub-section (1), the Corporation direct that the decision of the Special Committee shall be final, then so much of the
80 proceedings of the Special Committee as relate to such powers or duties shall not be subject to confirmation by the Corporation, if such decision is supported by
85 at least one half of the whole number of members of the Committee,

(7) The Corporation may make rules for regulating the constitution of Special Committees and the conduct of business at meetings of such Committees, and for the keeping of minutes and the submission of reports 90

38B (1) The Standing Committee may, from time to time, appoint out of their own body Special Committees and may 100 by a resolution carried by a vote of at least two-thirds of the members of the Standing Committee present at the meeting delegate any of their powers and duties to such committees, and may also by a like resolution define the sphere of business of each Special Committee so appointed, and direct that all matters and questions included in 105 any such sphere shall, in the first instance, be placed before the appropriate committee and shall be submitted to the Standing Committee with such Committee's recommendation 115

(2) The provisions of sub-sections (2) to (7) of section 38A shall apply to Special Committees appointed by the Standing Committee, the words "Standing Committee" being read in place of the word "Corporation" 120

14 The last seven words of sub-section (1) of section 54 of the said Act shall be
Amendment of section 57 of Bom III of 1984
 5 omitted.

15. For sub-section (1) of section 57 of the said

Amendment of section 57 of Bom III of 1888 Act, the following shall be sub-

stituted, namely —

“ 57 (1) The appointment of the Commissioner shall be for a period of five

Salary of the Commissioner

10 years in the first instance and thereafter renewable for periods of three years, the salary of the Commissioner for the first year shall be Rs 2,500 per mensem, for the next
15 two years Rs 3,000 per mensem, for the subsequent period of two years Rs 3,500 per mensem and thereafter if his term of office is renewed Rs 4,000 per mensem. He shall,
20 except as hereinafter provided, devote his whole time and attention to the duties of his office as prescribed in this Act or in any other enactment for the time being in
25 force ”

16. In section 58 of the said Act, for the

Amendment of section 58 of Bom III of 1888 words “ fifteen hundred ” and

5 “ twelve hundred ” the words “ two thousand ” and “ fifteen hundred ” shall respectively be substituted

17. After section 62D of the said Act, the following

New section 62E of Bom III of 1888 section shall be inserted,

5 namely —

“ 62E The Corporation shall

Corporation to provide for maintenance of lunatics make payments at such rates as Government

10 from time to time by general or special order prescribe, for the

V of 1898.

maintenance and treatment either in the City or at any asylum, hospital or house, whether within or without the City, which Government declares by notification to be suitable for such purpose, of pauper lunatics, not being persons for whose confinement an order under Chapter XXXIV of the Code of Criminal Procedure, 1898, is in force, resident within, or under any enactment for the time being in force removed from, the City 15

Provided that the Corporation shall not be liable under this section for the maintenance and treatment of any lunatic in any such asylum, hospital or house as aforesaid, unless such lunatic, previous to his admission thereto, has been resident in the City for at least one year ' 25

13. In sub-section (2) of section 68 of the said Act, after the entry "Section 311 " the entry "Section 313A " shall be inserted 5

19. In section 107 of the said Act, the words "under the orders of the Governor General of India in Council " shall be deleted 5

20. For sub-section (1) of section 301 of the said Act, the following sub-section shall be substituted, namely — 5

" (1) Compensation shall be paid by the Commissioner to the owner of any building or land acquired for a public street under section 298 or 299, for any loss which 10

such owner may sustain in consequence of his building or land being so acquired and for any expense incurred by such owner in consequence of the order made by the Commissioner under either of the said sections, provided that any increase or decrease in the value of the remainder of the property of which the building or land so acquired formed part likely to accrue from the set-back to the regular line of the street shall be taken into consideration and allowed for in determining the amount of such compensation,”

21 After section 313 of the said Act, the following
Now section 113 A in Bom III of 1886 ing section shall be inserted,

5 namely —

“ 313A Except under and in conformity with
licenses for sale in the terms and public places provisions of a
 10 license granted by the Commissioner in this behalf, no person shall hawk or expose for sale in any public place or in any public street any article whatsoever, whether it be for human
 15 consumption or not ”

22. In section 367 of the said Act,
Amendment of section 367 of Bom III of 1888 (1) the figures “(1)” and “(2)” shall be omitted

5 (2) after clause (a) the following clause shall be inserted —

“ (b) trade refuse , ”

(3) clause (b) shall be renumbered (c), and

10 (4) clauses “ (c) ” and “ (d) ” shall be renumbered “ (e) ” and “ (f) ” respectively.

23. For section 368 of the said Act the following section shall be substituted —

Substitution of a new section for section 368 of Bom III of 1888

“ 368 (1) It shall be incumbent 5

Duty of owners and occupiers to collect and deposit dust, etc on the owners and occupiers of all premises to

cause all dust, ashes, refuse, rubbish and trade refuse to be collected from their respective premises and to be deposited at such times as the Commissioner, by public notice, from time to time prescribes in the public receptacle, depôt or place provided or appointed under the last preceding section for the temporary deposit or final disposal thereof 10 15

(2) Provided that the Commissioner may, if he thinks fit, by written notice require the occupier and owner or either of them of any premises, to cause all dust, ashes, refuse and rubbish but not trade refuse to be collected daily, or otherwise periodically, from the said premises and deposited temporarily upon any place forming the part of the said premises which the Commissioner appoints in this behalf, and it shall be incumbent on the said occupier and owner or either of them to cause the said matters to be collected and deposited accordingly 20 25 30

(3) It shall be incumbent on the owners of all premises to provide receptacles of a size to be prescribed by the Commissioner for the collection therein of all dust, ashes, refuse, rubbish and trade refuse to be collected from such premises Such receptacles shall at all times be kept in good repair and condition and shall be provided in such number and 35 40

45 place and retained in such positions
as the Commissioner may, from
time to time, by written notice
direct

50 (4) It shall also be incumbent on
the owners and occupiers or either
of them of all premises when required
by the Commissioner by written
notice so to do, to employ servants
55 for the purpose of carrying out and
complying with the requirements
of sub-sections (1) and (2) of this
section "

24. In section 372 of the said Act
for the words
Amendment of section "and rubbish"
372 of Bom III of 1888 occurring in

5 clause (a) and the words "or rubbish"
occurring in clauses (b), (c) and (c) the
words "rubbish and trade refuse"
and "rubbish or trade refuse" shall
respectively be substituted

25 In section 373 of the said Act
for the words
Amendment of section "or rubbish" the
373 of Bom III of 1888 words "rubbish
5 or trade refuse" shall be substituted

26 After section 377 of the said
Act, the follow-
New section 377 A of ing section shall
Bom III of 1888 be inserted,

5 namely —

" 377A (1) If it shall appear
to the Commis-
Nuisance arising from sioner that any
defective roof building or any

10 part of a building is in such a state
as to constitute a nuisance, or to be
likely to give rise to one, by reason
of rain-water leaking from its roof
or any part of its roof the Commis-
15 sioner may give a notice in writing
to the owner of such building re-

quiring him to abate the nuisance or to prevent its recurrence within the time and by taking the measures and doing the acts to be specified in the notice 20

(2) If at any time thereafter the Commissioner is of opinion that such a nuisance may recur he may, notwithstanding that the original nuisance may have been abated by the owner of the building under sub-section (1) give a further notice in writing to the said owner requiring him to abate the probable recurrence of the nuisance within the time and in the manner specified in the notice 25 30

(3) If the owner of the building by whose act, default or sufferance such nuisance has arisen or continues is unknown or cannot be found, the Commissioner may take such measures or cause such work to be executed or such things to be done as shall in his opinion be necessary to abate such nuisance and to prevent its recurrence " 35 40

27. (1) After sub-section (2) of section 394 of the said Act, the following sub-section shall be inserted, namely — 5

"(3) A person shall be deemed to carry on or to allow to be carried on a trade or operation within the meaning of paragraph (ii) of clause (d) of sub-section (1) if he does any act in furtherance of such trade or is in any way engaged or concerned therein whether as principal, agent, clerk, master, servant, workman, handicraftsman or otherwise " 10 15

(2) Sub-sections (3), (4) and (5) of the said section shall be re-numbered (4), (5) and (6) respectively

28. In the
Amendment of section table subjoined
471 of Bom III of 1888 to section 471 of
the said Act,

5 (1) below the entry relating to
section 313 the following entry shall
be inserted, namely -

10	Section 313 A	Prohibition of hawking articles for sale in a public place or street without a licence	Fifty rupees
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15 (2) For the entry relating to section 368 the following entry shall
be substituted, namely -

20	Section 368, sub sections (1), (2), (3) and (4)	Collection removal and deposit of refuse and provision of receptacles	Twenty rupees
----	---	---	---------------

and

25 (3) below the entry relating to section 377 the following entry shall
be inserted, namely -

	Section 377 A, sub sections (1) and (2)	Requirement to shade or to prevent recurrence of leakage in the roofs of buildings	Fifty rupees
--	---	--	--------------

29. In the
Amendment of section table subjoined
472 of Bom III of 1888 to section 472 of
the said Act,

5 (1) below the entry relating to section 358 the following entry shall
be inserted, namely -

10	Section 368 sub sections (1), (2), (3) and (4)	Collection, removal and deposit of refuse and provision of receptacles	Ten rupees
----	--	--	------------

and

(2) below the entry relating to section 377 the following entry shall be inserted, namely — 15

Section 377 A, sub section (1) and (2),	Requisition to rebate or to prevent recurrence of leakage in the roofs of buildings	Entry rupees,
		" 20

30 In sub-
Amendment of section section (2) of
489 of Bom III of 1888 section 489 of
the said Act

(1) for the entry "section 368, 5
sub-section (2)" the entry "sec-
tion 368, sub-sections (1), (2), (3) and
(4)" shall be substituted, and

(2) after the entry "section 375" 10
the entry "section 375A" and after
the entry "section 377" the entry
"section 377A" shall be inserted

31 In Part IV of Schedule M to
the said Act,
Amendment of Schedule after the word
M of Bom III of 1888 "Gunpowder"
the word "Ice" shall be inserted 5

STATEMENT OF OBJECTS AND REASONS

The objects of this Bill are explained in the following notes on clauses.

Notes on clauses

Clause 2—The Act provides separately for the election of co-opted Councillors and it has been thought desirable to include them specially in the definition. It makes provision for the disposal of "trade refuse"

Clause 3—This amendment is designed to settle a doubt whether buildings occupied by clubs and associations for charitable, social, literary or political purpose are covered by section 11 of the Act

Clause 4—This clause is intended to make it clear that the person authorized to represent a company or firm shall be a member of the firm. Opportunity has also been taken to provide, as desired by the Corporation, that a person representing a company or firm need not be authorized by a special power-of-attorney in this behalf, and that it is sufficient if he

holds a general power of attorney from the company or firm and is one whose name has been duly communicated to the Assessor and Collector as the representative of the company or firm who is entitled to vote at the election on behalf of the company or firm.

Clause 5—The Act provides separately for the election of co-opted Councillors. And as "Councillors" might be deemed to include co-opted Councillors it has been thought desirable to exclude them specifically from the operation of section 22.

Clause 5—The amendment is consequential see section 31A.

Clause 6—In view of the new section 31A, paragraph 1 of section 23 becomes unnecessary. The amendment in sub-clause (1) is consequential.

Clause 7—The amendment in sub-clause (a) is intended to extend the time for the supply of nomination papers up to 4 p.m. on the day fixed for the election. The amendments in sub-clause (b) are intended to save the trouble and expense of a contested election when the death or withdrawal of a candidate before the day of the election makes it an uncontested one.

Clause 8—The Corporation have recommended to Government the system of voting by secret ballot in the elections of Councillors. The adoption of this proposal will bring the procedure in municipal elections in Bombay more into line with that followed in other elections and will modernize it.

Clause 9—The Corporation have also recommended that the procedure at municipal elections shall be regulated by rules made under the Act by the Corporation. In order to carry these recommendations into effect a new section is proposed to be substituted for section 28. This contains all the provisions of the old section which should have statutory authority. The new rule-making section 29 is designed to empower the Corporation to introduce the new system of voting and to regulate procedure at elections, by rules made by the Corporation, with the sanction of Government. It is modelled on the provisions of rule 13 of the Bombay Electoral Rules under which the Bombay Electoral Regulations have been framed.

Clause 10—In view of new section 31A, section 30A is unnecessary.

Clause 11—Under section 22 of the Act all general elections must be held before the end of February. General elections might include the elections of co-opted Councillors also. The intention, however, is to allow time for the election of co-opted Councillors up to the end of March. It is therefore considered desirable to make separate provision for the election of co-opted Councillors.

Clause 12—This clause is intended to provide that the period of fifteen days allowed after the result of the election has been declared for making an application to the Chief Judge of the Small Cause Court be counted from the date on which the list under clause (k) of section 28 was available for sale or inspection in the Commissioner's office.

Clause 13.—

New Section 38A

The question of improving the system of appointment of Committees with a view to expediting business has been engaging the attention of the Corporation since the year 1908, and the increasing volume of work which comes before the Corporation has made the adoption of some such system imperative. At present, there are only two Statutory Committees, the Standing Committee and Schools Committee. Under section 41 of the present Act a Hospital Committee may also be appointed.

Under section 38 committees may be appointed "for inquiry and report and for opinion", and special subjects relating to the purposes of the Act may be referred to them. Under section 36 (4) the Standing Committee and the Commissioner may also bring 'urgent business' before the Corporation, with its permission.

But outside of these provisions there are none for the appointment of committees with definite spheres of business. It is intended that except where the Corporation by specific resolution delegate any of their powers to them these committees should deal with questions coming before them in a preliminary way and so avoid the inconvenience of a discussion of questions for the first time at Corporation meetings. The inconvenience complained of is sometimes the cause of lengthy and uninformed discussions at meetings, of questions which might, much more conveniently and usefully, first be considered in an informal fashion by a committee.

Another objection taken to the present procedure is, that it causes great delay in the disposal of important business. Questions requiring close examination are necessarily referred to a Special Committee, but this is only done at present after they have been brought before the Corporation.

There is, again, a distinct advantage in appointing Special Committees which gradually become trained and expert in the particular class of business with which they are in the habit of dealing. The present Committees appointed *ad hoc* are necessarily deprived of this advantage.

Lastly, even in business of a formal character, a number of matters require close scrutiny, if the responsibility of the Corporation as a sanctioning authority is to be properly discharged. It is impossible for Councillors at a meeting adequately to examine plans, estimates and so forth. All these matters should be dealt with carefully by a Special Committee.

The new procedure will also tend to concentrate the attention of Councillors in meeting upon really important questions and it may be expected, as a result, that meetings will become shorter and more business like.

All the ordinary business which comes before the Corporation will be included within the scope of one Special Committee or another. The amendment does not affect any of the statutory powers of the Standing Committee, or the Schools Committee, or the Commissioner. It has been modelled on the corresponding clauses of the Calcutta Municipal Bill.

This section is intended to authorize the Standing Committee to delegate any of their powers to cognate Special Committees.

Clause 14—In view of the provision made in section 57 (1) as regards the period of appointment of the Commissioner the words proposed to be omitted become unnecessary.

Clause 15—The amendment is intended to give effect to the wishes of the Corporation as to the pay of the Commissioner. Under section 57 of the Act the pay of the appointment of Commissioner is subject to the minimum of Rs. 2,000 per mensem and maximum of Rs. 2,500 and after three years' service to Rs. 3,000. In the changed conditions of life in Bombay and with the increased cost of living, it is no longer possible for the Corporation to obtain the services of an officer of the necessary standing and ability on the old rate of pay.

Clause 16—This amendment is necessary for the same reasons as the one of section 57.

Clause 17—The charge is one which the Corporation should and are willing to meet and as it is not laid down in the City of Bombay Municipal Act, 1888, that the charges for maintenance and treatment of pauper lunatics should be defrayed by the Municipality, the amendment is intended to bring the provisions of the City Municipal Act into line with those of the Bombay District Municipal Act, 1901, in this respect.

Clause 18—This amendment is necessary on the insertion of new section 313 A.

Clause 19—The object of this amendment is to delegate to the Governor of Bombay in Council the power hitherto reserved to the Governor General in Council to sanction Government loans from provincial revenues to the Municipal Corporation of the City of Bombay.

Clause 20—The manner in which section 301 (1) has been interpreted by the Courts has led to the payment of exorbitant claims & compensation. The proposed amendment will result in owners being fully compensated for the loss sustained by them, but at the same time it will protect the Corporation from exorbitant demands. The proviso allows for betterment as well as for damage to the property.

Clause 21—The hawking and exposure for sale of articles in the city streets has so far been allowed to be carried on without license. With the growth of traffic it has been found that hawkers are apt to congregate in certain very busy thoroughfares and so to interfere with the public convenience. The amendment is designed to give the municipal authorities power to deal with these people. Licenses are issued in Calcutta to street hawkers.

Clauses 22 to 25, 28 (2), 29 (1) and 30 (2)—It has been represented to Government by the Corporation that the habit of throwing house refuse into the streets and house-gullies in Bombay is a grievance to certain sections of the public and that owing to the difficulty of identifying the offenders prosecutions under section 372 (e) of the Municipal Act have small chance

of success. It is therefore proposed, in order to check this unsanitary practice, to impose on the owners and occupiers of buildings the responsibility of providing suitable receptacles for the temporary collection of such refuse on their premises, whence it will be removed periodically to the travelling or stationary carts which the Municipal Commissioner has to maintain under section 367 (1) of the City of Bombay Municipal Act, 1888.

Clause 26—There is no provision in the Act empowering the Municipal Commissioner to require the owners of buildings to keep the roofs in such repair as will prevent rain-water leaking into the buildings. It is necessary, in the interest of public health and comfort, to have such a provision, and the amendment is designed to confer this power.

Clause 27—This amendment has been made necessary by a judicial decision in a recent prosecution instituted by the License Department before the Third Presidency Magistrate under sections 394 (1) (d) (u) and 472 of the Act. The accused having contended that he was a mere servant of the offending firm, the learned Magistrate acquitted him, holding that the wording of section 391 was quite clear, and intended to apply to owners or managers and not to mere servants. He also stated that in cases of this kind proceedings are taken, wherever possible, against the actual owners of the offending trades, but in this particular case both the persons who declared themselves to be owners were away from Bombay and there was no immediate means of compelling their attendance. If a person, who has established or allowed a dangerous trade or operation to be carried on at any premises, chooses to absent himself, his servant or servants employed to do the work can, with impunity, continue to carry on that trade or operation however dangerous it may be, for however long the person primarily responsible may elect to stay away. The clause remedies this defect.

Clauses 28 and 29—These amendments are necessary on the insertion of new sections 313A and 377A.

Clause 30—The object of the amendment in relation to section 375A is to empower the Municipal Commissioner to exercise in respect of any requisition or order by written notice made by him under section 375A, the powers conferred on him by section 489 of the Act. The Corporation have represented that it is desirable that the Municipal Commissioner should possess these powers to be able to take prompt action in respect of section 375A when necessary.

The amendment in relation to section 377A is necessary on the insertion of that section.

Clause 31—It has been found that the manufacture of ice is not one of the trades which can only be carried on in licensed premises and, on sanitary grounds, it is necessary that this omission should be made good.

GHULAM HUSSAIN Hidayatallah

31st September 1924.

APPENDIX 66

The following report of the Select Committee of the Council of His Excellency the Governor of Bombay on Motion No 1 of 1924 to amend Standing Orders of the Bombay Legislative Council and the amendments made by the Select Committee are published for general information —

Report of the Select Committee on Motion No 1 of 1924 to amend Standing Orders

We, the undersigned members of the Select Committee appointed to consider the Motion No 1 to amend Standing Orders have the honour to report as follows —

The main amendments made by us in the motion are as follows —

- (1) Instead of the original provision that in the case of an equality of votes at the election of the President the person approved by the Governor shall be deemed to have been elected by the Council we have provided for a second election between the persons receiving such votes on the next day, which would thus give the Council an opportunity to reconsider the matter before the Governor may be required to make a decision
- (2) The procedure for the ballot has been laid down in paragraph 1 (5) it is substantially the same as has been already adopted by the Council for the election of the Deputy President under the rulings of the President
- (3) By a majority the Select Committee have decided to delete the original paragraph III

The other changes introduced are minor and consequential amendments

(Signed) IBRAHIM RAHMUTOOLA

(„) B G PAHALAJANI

(„) D P DESAI,

(„) L B BHOPALKAR (*subject to a minute of dissent*)

(„) G B PRADHAN,

(„) S T KAMBLI,

(„) A M MANSURI,

(„) HOOSAINBHAI A JALAJI,

(„) S N BHUTTO,

(„) M H W HAYWARD (*subject to a minute of dissent*)

(Minute of dissent by Mr L B Bhopalla, M L C)

I cannot agree with the principle embodied in the last sentence of sub-clause 3 of clause I. In the case of the equality of votes in the second election for the post of President, I am of opinion that the procedure proposed in the above provision is not the right one. It may even be said that from the standpoint of the rights of the Council, it is not even safe. I should suggest that the matter should rather be decided by the drawing of lots than be submitted to the approval of the Governor. I have submitted an amendment to that effect.

In the light of the above, sub-clause 3 of clause I will have to be consequently amended.

(Signed) L B BHOPALLA

18th October 1934

(Minute of dissent by the Honourable Sir Maurice Hayward, Kt, I C S)

I consider original paragraph III ought to be retained.

(Signed) M H W HAYWARD

19th October 1934

AMENDMENTS MADE BY THE SELECT COMMITTEE

III—Council Officials—

1. (1) After the members have made an oath or affirmation of allegiance to the Crown in the presence of the Secretary at the beginning of a new Council the Council shall elect one of its members to be President.

(2) Every member who wishes to propose a member for election as President must—

(a) ascertain previously that the member he wishes to propose is willing to serve if elected, and,

(b) hand to the Secretary a notice containing the name of the member he desires to propose, signed by himself and some other member as seconder.

(3) The Secretary shall read out to the Council the names of the candidates together with those of their proposers and seconders, and if only one person has been proposed for election, the Secretary shall submit the name of that person to the Governor for his approval. If more than one person has been proposed the members shall then proceed to vote on the question by ballot, and the Secretary shall submit the name of the person who receives the majority of votes to the Governor for his approval and the meeting shall stand adjourned from day to day pending the Governor's decision.

Provided that in the case of an equality of votes the names of the persons receiving such votes shall not be submitted by the Secretary to the Governor, but the meeting shall stand adjourned to the next following day,

when a second election shall be held, between such two persons. If the second election again results in an equality of votes, the names of the two persons so obtaining an equal number of votes shall be submitted to the Governor, and the person approved by the Governor shall be deemed to have been duly elected by the Council.

(4) On the approval of the Governor being given, the Secretary shall declare the person approved to have been duly elected.

(5) The ballot shall be held in the following manner:—

(a) Every member shall be entitled to vote for one person only, at each ballot.

(b) If there are only two candidates only one ballot shall be held. If there are more than two candidates the name of the candidate who obtains the fewest number of votes at the first ballot shall be omitted from the list of candidates. The remaining candidates shall then be balloted for, and the name of the candidate obtaining the fewest number of votes at the second ballot shall similarly be omitted from the list of candidates.

This process shall be continued at the third and all succeeding ballots until only two candidates' names remain on the list, when a final ballot shall be held.

(6) If a vacancy occurs in the office of President during the life of a Council, or if the Governor withholds his approval to any election, a fresh election shall be held in accordance with the procedure heretofore laid down, provided that if there is a Deputy President he shall preside at such election and shall perform the duties imposed on the Secretary by paragraphs 2, 3 and 4 of this Standing Order. The ballot shall be held as prescribed in paragraph 5 above. The Deputy President shall only vote in the event of an equality of votes.

2 (1) At the beginning of a new Council after the election of the Election of Deputy President, the Council shall also elect one of its members to be Deputy President.

(2) Every member who wishes to propose a member for election as Deputy President must—

(a) ascertain previously that the member he wishes to propose is willing to serve if elected, and,

(b) hand to the Secretary a notice containing the name of the member he desires to propose signed by himself and some other member as seconder.

(3) The President shall read out to the Council the names of the candidates together with those of their proposers and seconders and if only one person has been proposed for election shall declare that person duly elected. If more than one person has been proposed, the members other than the President shall then proceed to vote on the question by ballot and the President shall declare the person who receives the majority of votes to be duly elected. The ballot shall be held as prescribed in rule I, paragraph 5 above. In the event of an equality of votes the president shall have a casting vote.

(4) If a vacancy in the office of Deputy President occurs in the life of a Council, or if the Governor withholds his approval to any election, a fresh election shall be held in accordance with the procedure hereinbefore laid down

3 In paragraph 6 of Standing Order IV for the words "the election of any of a Deputy President has" the words "the elections of a President and of a Deputy President have" shall be substituted

APPENDIX 67

The following report of the Select Committee of the Council of His Excellency the Governor of Bombay on motion No II of 1924 to amend the Standing Orders of the Bombay Legislative Council and the motion as amended by the Select Committee are published for general information —

Report of the Select Committee on Motion No II of 1924 to amend Standing Orders

We, the undersigned members of the Select Committee have the honour to report as follows —

Mr Pahlajani withdrew both his amendments of Standing Order VIII, 4 and therefore only his amendment of Standing Order VIII 10 (1), viz, "Omit the words 'not being an amendment of principle'" was considered by the Select Committee. We carefully discussed the amendment and came to the conclusion by a majority that it should be accepted

(Signed) IBRAHIM RAHIMIOOLA,

(„) B G PAHALAJANI,

(„) D P DESAI,

(„) H B SHIVDASANI,

(„) L B BHOPATKAR,

(„) K F NAFIMAN,

(„) MOUSENBHOY A LALLJILL,

(„) M H W HAYWARD (*subject to a minute of dissent*),

(„) C V MEHTA (*subject to a minute of dissent*)

(„) GHULAM MUSSAIN Hidayatallah (*subject to a minute of dissent*)

(*Minute of dissent by the Honourable Sir Maurice Hayward, Kt, I C S the Honourable Mr C V Mehta, and the Honourable Khan Bihudin Shukh Ghulam Hussain Hidayatallah*)

We consider sufficient opportunities for amendments of principle are provided during the First Reading under Standing Order VIII 4 (2) and upon presentation of the report of the Select Committee under Standing

Order VIII 8 (2) (b) We think that amendments of principle ought to be precluded after the Bill has finally left the Select Committee stage and proceeded to the Second Reading. The clause to clause reading is practically unsuitable for amendments other than amendment of detail and ought to be restricted to such as it percent. Verbal amendments would be permissible at present during the Third Reading.

(Signed) M H W HAYWARD

(„) C V MEHTA

(„) GHULAM HUSAIN Hidayatullah

19th October 1921

Motion No II of 1924 (as amended by the Select Committee)

~~Standing Order VIII b~~

~~Sub clause-(2)~~

~~Omit the words "the principle of the bill and"~~

~~Omit the words "other than amendment of principle"~~

~~Sub clause-(3)~~

~~Omit whole sub clause -3~~

Standing Order VIII (10) 1 -

Omit the words "not being an amendment of principle"

K O SIN,

Poona,
20th October 1924

Secretary to the Legislative Council of the
Governor of Bombay

APPENDIX 68

A BILL FURTHER TO AMEND THE CITY OF BOMBAY IMPROVEMENT ACT, 1898

Whereas it is expedient further to amend the City of Bombay Improvement Act, 1898, in manner hereinafter appearing, It is hereby enacted as follows:—

1 This Act may be called the City of Bombay Improvement (Amendment) Act, 1924

2 In sub-section 1 of section 6 of the City of Bombay Improvement Act, 1898 the words "open vote" shall be substituted by the word "Ballot"

STATEMENT OF OBJECTS AND REASONS

The Bombay Municipal Corporation have adopted the system of Ballot voting in all elections by the Corporation except in cases where they are prevented by Law. Under the City of Bombay Improvement Act, 1889,

it is provided that the election by the Corporation of their representatives on the Board of Trustees should be by open vote. The Corporation have passed a resolution to the effect that the Act should be amended to enable them to vote by Ballot. This Bill carries out this object.

HOUSENALLY M. RAHIMTOOLA,

25th September 1924

SECTION 6 OF THE CITY OF BOMBAY IMPROVEMENT
ACT, 1898

The Election of Trustees—

- (1) by the Corporation, the Port Trustees and the Mill-owners' association shall be in accordance with regulations which those bodies may respectively frame, provided that the election by the Corporation shall be by open vote.

APPENDIX 69

BILL No. XXII OF 1924.

*A Bill to amend the Bombay
District Police Act, 1890*

(As introduced on the 28th July
1924 and published in the Bombay
Government Gazette of the 21st
August 1924.)

Bom IV of
1890

WHEREAS it is expedient further to amend the Bombay District Police Act, 1908, in manner hereinafter appearing. It is hereby enacted as follows—

1 This Act may be called the Bombay District Police (Amendment) Act, 192

2 In sub-section (2) of section 25 of the Bombay District Police Act, 1890, after the word "Government" the words "with the approval of the Legislative Council expressed by a resolution" shall be inserted.